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SAN FRANCISCO
BOARD OF SUPERVISORS

HOUSING & LAND USE COMMITTEE

This Committee issued a "Calendar" for each meeting, which constituted the Agenda for the meeting. The Calendar had a blank line at the end of each agenda item for "Action".

The decisions taken at the meeting on each Calendar item were entered on the "Action" lines of the Calendar. The Calendar was then referred to as the "Action Calendar" or "Marked Calendar", and constituted the Minutes for the meeting.

Note that the Agendas and the Minutes are both captioned "Calendar". They differ in that the Minutes describe the action taken on each Calendar item.

This volume includes the available Minutes of this Committee's meetings. The Agenda is included only if the Minutes are missing.

The Budget Analyst prepared memoranda for many of this Committee's meetings. The memo for each meeting is inserted in this volume *in front of* the Minutes for that meeting. If the Minutes of a meeting are missing, the Budget Analyst memo is inserted *after* the Agenda for that meeting.

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, JANUARY 4, 1996, 10:00 A.M.   ROOM 410, VETERANS BUILDING

MEMBERS: Supervisors Carole Migden, Sue Bierman, Mabel Teng

CLERK: Mary Red

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Disability Access

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1. File 223-95-35. [Liquor License/413-415 Geary Street] Hearing to consider that issuance of a Type 48 on-sale general premise liquor license at 413/415 Geary Street to Dianne Prichard for The American Conservatory Theater (A.C.T.), will serve the convenience and necessity of the people of the City and County of San Francisco.

   ACTION:

2. File 115-95-3. [Demolition/Alteration of Landmarks] Ordinance amending City Planning Code by amending Sections 1005, 1006, and 1006.6 to require review of painted murals and exterior alterations visible from a public street to landmarks or in a Historic District, and to set forth a new definition of, and procedures for, demolition. (Supervisor Bierman)
   (City Planning Resolution No. 13932, adopted August 3, 1995)
   (Exemption/Exclusion from Environmental Review)
   (Continued from December 14)

   ACTION:

3. File 90-95-1. [Landmark Designation, Brown's Opera House] Ordinance designating the Brown's Opera House (Victoria House) as Landmark No. 215, pursuant to Article 10 of the City Planning Code. (Department of City Planning)
   (City Planning Resolution No. 13979, adopted 10/19/95).
   (LPAB Resolution No. 476, adopted 5/17/95).

   ACTION:

4. File 90-95-2. [Landmark Designation, El Capitan Theater/Hotel] Ordinance designating El Capital Theater and Hotel as Landmark No. 214 pursuant to Article 10 of the City Planning Code. (Department of City Planning)
   (City Planning Resolution No. 13988, adopted 10/19/95)
   (LPAB Resolution No. 475, adopted 5/17/95).

   ACTION:

5. File 90-95-3. [Landmark Designation, Alhambra Theater] Ordinance designating Alhambra Theater as Landmark No. 217 pursuant to Article 10 of the City Planning Code. (Department of City Planning)
   (City Planning Resolution No. 14005, adopted 11/9/95)
   (LPAB Resolution No. 478, adopted 6/7/95).

   ACTION:

6. File 122-95-1. [1995 San Francisco Mechanical Code] Ordinance amending Mechanical Code by adopting by reference the 1994 Uniform Mechanical Code as amended by the 1995 California Mechanical Code, retaining and making applicable to the State Code all previously adopted San Francisco amendments to the State Code and findings of local conditions required by state law; republishing the retained San Francisco amendments in a separate volume with corrected section references and reformatting to correspond to the new State Code references and format; and making nonsubstantive editorial changes to conform the code to Charter Section 3.750; effective date of February 19, 1996. (Building Inspection Commission)

   ACTION:

7. File 115-95-13. [Pacific Stock Exchange Building] Ordinance amending City Planning Code Appendix A by adding the 155 Sansome Street portion of the Pacific Stock Exchange Building to the list of Category I Buildings (historical landmark building). (Supervisor Shelley)

   ACTION:

8. File 127-95-12. [Board of Permit Appeals] Ordinance amending San Francisco Municipal Code, Part III, Section 8, to provide that the Board of Permit Appeals shall fix the time and Place of hearing not less than ten days nor more than forty-five days after the filing of said appeal and shall act thereon not later on not later than sixty days after such filing or a reasonable time thereafter. (Supervisor Bierman)

   ACTION:

9. File 13-95-34. [Affordable Housing/3250 Capp Street] Resolution urging the Federal Government to negotiate the transfer or sale of vacant housing at 3250 Capp Street to a non-profit housing developer for the purpose of housing people who are homeless. (Supervisors Bierman, Alioto)

   ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

IMPORTANT
HEARING NOTICE

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&
Addendum

CALENDAR

HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, JANUARY 18, 1996, 10:00 A.M. ROOM 410, VETERANS BUILDING

MEMBERS: Supervisors Carole Migden, Sue Bierman, Mabel Teng

CLERK: Mary Red

* * * * * * * * * * * * * * *

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18–95–17. [Stop Intersections, Various Locations] Hearing to consider establishment of all–way Stop intersections, various locations. DPT Order No. 949. (Department of Parking and Traffic)

STOP SIGNS – ESTABLISH

16th Avenue and Pacheco Street, northwest and southeast corners, stopping 16th Avenue (makes this an all–way STOP).
16th Avenue and Quintara Street, northwest and southeast corners, stopping 16th Avenue (makes this an all–way STOP).
17th Avenue and Santiago Street, northeast and southwest corners, stopping Santiago Street (makes this an all–way STOP).
42nd and Point Lobos Avenues, northeast and southwest corners, stopping Point Lobos Avenue (makes this an all–way STOP).
Campbell Avenue and Rutland Street, northeast and southwest corners, stopping Campbell Avenue (makes this an all–way STOP).
Rutland Street and Tioga Avenue, northeast and southwest corners, stopping Tioga Avenue (makes this an all–way STOP).
Scotia Avenue and Quint Street, all corners, stopping all approaches (makes this uncontrolled T–intersection an all–way STOP).

(b) File 19–95–16. [Parking Regulations, Various Locations] Hearing to consider establishment of parking regulations, various locations. DPT Order No. 949 (Department of Parking and Traffic)

NO PARKING ANYTIME – ESTABLISH

Lower Terrace, south side, from 76 feet to 112 feet east of Levant Street (36–foot zone).

PARKING METER AREA NO. 3(1–HOUR TIME LIMIT, 7 AM – 6 PM, MONDAY THROUGH SATURDAY) – ESTABLISH.

Townsend Street, north side, between 3rd and 4th Streets.

PARKING METER AREA NO. 3(2–HOUR TIME LIMIT, 7 AM – 6 PM, MONDAY THROUGH SATURDAY) – ESTABLISH.

Townsend Street, south side, between 3rd and 4th Streets.

SHORT–TERM (30–MINUTE) PARKING METER – ESTABLISH.

Townsend Street, north side, from 15 feet to 69 feet west of Ritch Street (54–foot zone in front of #224 Townsend Street).

UNMETERED MOTORCYCLE PARKING – ESTABLISH.

Chestnut Street, south side, from 18 feet to 21.5 feet west of Larkin Street (3.5–foot zone, accommodating 1 motorcycle space).
Green Street, north side, from 39 feet to 42.5 feet east of Larkin Street (3.5–foot zone between driveways for #1288–#1292 and #1280–#1286 Green Street, accommodating 1 motorcycle parking space).
Larkin Street, east side, from 170 feet to 177 feet north of Green Street (7–foot zone between driveways for #2232 and #2240 Larkin Street, accommodating 2 motorcycle spaces).

(c) File 20-95-20. [Traffic Regulations, Market Street] Hearing to consider rescinding "Tow-Away, No Stopping, 7:00 AM - 9:00 AM and 4:00 PM to 6:00 PM, Monday through Saturday" and establishing "Tow-Away, No Stopping, 7:00 AM - 9:00 AM, Monday through Friday" on Market Street, south side, between Gough and 12th Streets. DPT Order No. 949. (Department of Parking and Traffic)

ACTION:

REGULAR CALENDAR

2. File 19-95-9.1. [Parking Regulations, Townsend Street] Resolution enacting parking regulations at Townsend Street, south side, between 4th and 5th Streets by establishing two-hour parking time limit, 7 AM - 6 PM, Monday through Friday. DPT. 866. (Housing & Land Use Committee)
(Rereferred to Housing and Land Use 9/18/95)

ACTION:

3. File 223-95-36. [Liquor License, 2648 Judah Street] Hearing to consider that issuance of On-Sale General Public Premises liquor license at 2648 Judah Street, to Eamon Corry for The Harp Inc., will serve the convenience and necessity of the people of the City City and County of San Francisco. Filed by Eamon Corry, President.

ACTION:

4. File 223-95-37. [Liquor License, 110 Cyril Magnin] Hearing to consider that issuance of Off-sale beer and wine license at 110 Cyril Magnin, to Tarik Hussein for Charlie's Stand, will serve the convenience and and necessity of the people of City and County of San Francisco. Filed by Tarik Hussein.

ACTION:

5. File 85-95-5. [Mid-Embarcadero/Terminal Separator Structure] Resolution endorsing the Department of Parking and Traffic Variant as the preferred alternative for replacement of the Mid-Embarcadero/ Terminal Separator structure, requesting Department of City Planning to incorporate the variant as the preferred alternative in the DEIS/DEIR, and requesting the Chief Administrative Officer to take the necessary steps to secure funding at the earliest possible time; urging additional study of traffic and transit issues related to the northeast Chinatown and North Beach sector, and urging deferral of the sale of freeway related parcels on Broadway until after the final EIS/EIR is certified. (Chief Administrative Officer)
(Continued from 11/16/95)

ACTION:

6. File 115-95-11. [Residential Zoning Amendments] Ordinance amending Planning Code by adding new Section 311 to establish new provisions that apply to construction in the RH and RM Zoning Districts for permit application review, notification and appeals procedures and adherence to approved design guidelines as well as to the Planning Code; and new provisions that apply to review of proposed demolitions in all residential district. (Department of City Planning)
(City Planning Resolution No. 13960, adopted 9/21/95)
(RE-REFERRED TO COMMITTEE 12/4/95)

ACTION:

7. File 36-95-8. [Zoning Map Amendment, Lakeside Subdivision] Ordinance Amending City Planning Code by amending the Zoning Map of the City and County of San Francisco for certain properties in the Lakeside Subdivision, generally bounded by Eucalyptus Drive on the north and Junipero Serra Boulevard and 19th Avenue on the east, south and west, all of Assessor's Blocks 7228, 7229, 7229A, 7230, 7232, 7233, 7234, 7235, 7238, 7238A, 7239, 7239A, 7240, 7240A, 7241, 7242, and 7243, and all of Assessor's Block 7231 except Lot 3, all of Assessor's Block 7236 except Lot 1, all of Assessor's Block 7237 except Lot 9, and all of Assessor's Block 7244 except Lot 17 from a 40-X Height and Bulk District to a 28-X Height and Bulk District. (Department of City Planning)
(City Planning Resolution No. 14024 adopted 12/7/95.)
(General Rule Exclusion from Environmental Review)

ACTION:

8. File 42-96-1. [Temporary Street Closing, Pine Street] Resolution granting revocable permission to PCL Construction Services, Incorporated to temporarily close and occupy the southerly sidewalk of Pine Street between Franklin and Van Ness Avenue during construction operations at the San Francisco Towers Project, Assessor's Block 666. DPW Order No. 169,350. (Department of Public Works)

ACTION:

HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
401 VAN NESS AVENUE
SAN FRANCISCO, CA. 94102

ADDENDUM
CALENDAR

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JANUARY 18, 1996 – 10:00 A.M. ROOM 410, VETERANS BUILDING

MEMBERS: SUPERVISORS MIGDEN, BIERMAN, TENG

CLERK: MARY L. RED

9. File 127-95-12. [Board of Permit Appeals] Ordinance amending San Francisco Municipal Code, Part III, Section 8, to provide that the Board of Permit Appeals shall fix the time and Place of hearing not less than ten days nor more than forty-five days after the filing of said appeal and shall act thereon not later on not later than sixty days after such filing or a reasonable time thereafter. (Supervisor Bierman) (Continued from 12/14/95)

ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

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BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

January 16, 1995

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendation for mtg of

SUBJECT: January 18, 1995 6 Housing and Land Use Committee Meeting

Item 5 - File 85-95-5

Note: This item was continued by the Housing and Land Use Committee at its meeting of November 16, 1995.

Department: Chief Administrative Officer

Item: Resolution endorsing the Department of Parking and Traffic Variant (DPT Variant) as the preferred alternative for replacement of the Mid-Embarcadero Terminal Separator structure, requesting Department of City Planning to incorporate the DPT Variant as the preferred alternative in the Draft Environmental Impact Study and Draft Environmental Impact Report (DEIS/DEIR), and requesting the Chief Administrative Officer to take the necessary steps to secure funding at the earliest possible time.

Description: The proposed resolution would specify that the Board of Supervisors designates the Department of Parking and Traffic Variant (DPT Variant) as the City's preferred alternative for replacement of the Mid-Embarcadero and the Terminal Separator Structure.

The Embarcadero and Terminal Separator segments of the I-480 freeway were badly damaged in the 1989 Loma Prieta earthquake, and were subsequently removed by the California

Department of Transportation (Caltrans). A Draft Environmental Impact Statement and Draft Environmental Impact Report (DEIS/DEIR) have now been completed detailing several options for restoration of traffic service and safety in the area, and the City is prepared to proceed with drafting the Final Environmental Impact Statement and Final Environmental Impact Report (FEIS/FEIR), and with preliminary engineering for the project.

If the proposed resolution is approved by the Board of Supervisors, the Department of City Planning would proceed with incorporating the DPT Variant into the FEIS/FEIR for the project, conducting preliminary engineering work for this option, and the Chief Administrative Officer would proceed towards securing Federal Emergency Relief (ER) funds for project construction. After the FEIS/FEIR process is complete in mid 1996, the Board of Supervisors will be asked to make a final recommendation on the project. The Office of the Chief Administrative Officer expects that environmental review for the project will be complete and the project certified in July 1996, that Federal funds will be available in late 1996, and that construction will begin in mid 1997.

The Department of Parking and Traffic Variant for the Mid Embarcadero and Terminal Separator project would have the following major elements:

- The Embarcadero from Howard to Broadway would be a four lane roadway, plus two additional lanes for parking that would be cleared for traffic to make six lanes during peak hours, with the F-line MUNI running in its median area, and bicycles lanes on both sides. The roadway would curve westward in front of the Ferry Building to accommodate a public plaza in that area;

- The Embarcadero roadway from Folsom to Howard would be realigned to accommodate Rincon Park;

- The Fremont Street off-ramp from the freeway would be realigned southward to touch down at Folsom and Fremont Streets, the Fourth Street off-ramp would be widened, and the two freeway on-ramps at Sterling and Essex Streets would, at a later date, be made flexible to accommodate either carpool lanes, or mixed use lanes, as required by traffic demand;

- A variety of lane changes, re-painting of the roadways, and sign changes would be carried out to improve traffic flows throughout the area.

Other alternatives studied in the DEIR/DEIS for this project would differ from the DPT Variant in the following major ways;

- Under Alternatives 5A and 5B, the Embarcadero roadway would be split in front of the Ferry building, with a public plaza constructed between the north and southbound sides, and the F-line MUNI running alongside and west of the northbound portion of the roadway;

- Under Alternatives 3A, 3B, 5A, and 5B, a new freeway on-ramp would be added from Harrison and Second Streets, and a new off-ramp would be added from the freeway to Second Street at Stillman.

Comments:

1. The estimated construction cost for the DPT Variant is $103.7 million, including design and construction costs of approximately $75.7 million, and replacement of Port parking facilities which must be removed for the project at a cost of up to $28 million (See Comment 4 below).

2. The DPT Variant has been recommended by the Planning Commission, the Parking Commission, the Redevelopment Commission, and the Public Transportation Commission as the best alternative, offering; (a) a high level of traffic service, (b) beneficial treatment of public space near the Ferry Building, and, (c) improved conditions for nearby residential areas through not constructing additional freeway ramps. The Port Commission has recommended the DPT Variant for that portion of the project that affects Port property (the Mid-Embarcadero section). The Art Commission has recommended a configuration including a split roadway with the northbound roadway underground, however, the Board of Supervisors has previously approved a resolution dropping further consideration of an underground roadway.

3. Federal regulations require that projects seeking ER funding restore traffic service at a level comparable to the service which was provided prior to the earthquake. The DEIS/DEIR studied 10 alternatives for the Mid-Embarcadero area, of which four (Alternatives 3A, 3B, 5A, and 5B), have been determined by Caltrans and the Federal Highway Administration (FHA) to be eligible for ER funding under the requirement for comparable service. According to Ms. Rebecca Kohlstrand, of the Chief Administrative Officer's Waterfront Transportation Projects Office, the DPT Variant has been tentatively determined by Caltrans to be eligible for ER funding, although a final determination on this issue is still pending from the FHA. Ms Kohlstrand advises that the City

has requested that the FHA make a preliminary response on this issue available for the January 18 meeting of the Housing and Land Use Committee.

4. In addition to the construction cost, the DPT Variant, and other alternatives, would require that the City compensate for the loss of approximately 350 waterfront parking spaces now operated by the Port of San Francisco which would be removed for construction of the Embarcadero roadway and plaza by either; a) building a 1 to 2 story underground parking garage at a cost of up to $28 million, or, b) compensating the Port directly by paying the Port a sum based on the rate of return on the value of the property, estimated at approximately $6 million.

Ms. Kohlstrand advises that cost of constructing a parking garage is due to the high cost of underground construction at the waterfront, and to the estimated cost of toxic clean-up. Ms. Kohlstrand advises that compensating the Port directly for the loss of the parking spaces may be less costly than the $28 million cost to construct a parking garage, but that it is not possible to estimate the full cost of this option at this time. Ms. Kohlstrand advises that the Port has requested that the City pursue replacement of the 350 parking spaces. The CAO notes that this is a policy decision which will be made by the affected Commissions and by the Board of Supervisors.

5. As noted above, the overall cost to build the DPT Variant is estimated at approximately $103.7 million. According to Ms. Kohlstrand, the Mid-Embarcadero area is eligible for up to $58.5 million in ER funding, and the Terminal Separator structure is eligible for up to $61 million in ER funding, for a total of up to $119.5 million in available ER funding. Use of ER funding also requires a 15 percent match of local funds. Ms. Kohlstrand advises that after the portions of the DPT Variant which are not eligible for ER funding are excluded, the local share of the project cost be approximately 25-30 percent, or up to an estimated maximum of approximately $30 million. The DPT Variant can be funded with ER funds, and local matching funds, through a combination of State ER funds, State Congestion Relief funds, San Francisco Proposition B Sales Tax funds, and funds from the sale of land parcels at Clay Street, Washington Street, and Broadway which were made available for this purpose after the removal of the Embarcadero Freeway.

6. The CAO's Office recommends that two different alternative configurations for the Mid-Embarcadero/Terminal Separator Project be carried through the preliminary engineering process

until final certification of the FEIS/FEIR. The additional cost for preliminary engineering of a second alternative is approximately $450,000. The estimated cost of delaying further engineering on the project until final environmental certification is approximately $200,000 per month, or $1.2 million over a six month-period. The CAO advises that the City would increase its risk of losing a portion of Federal funding for the project if further engineering work is delayed.

7. Representatives of the CAO's Office will be available at the Housing and Land Use Committee Meeting of January 18, 1996 to provide further information to the Board of Supervisors and respond to questions on the Mid-Embarcadero and Terminal Separator project.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 8 - File 42-96-1

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to PCL Construction Services Incorporated to temporarily close and occupy the Southerly sidewalk of Pine Street between Franklin Street and Van Ness Avenue during construction operations at the San Francisco Towers Project (Assessor's Block 666).

Description: The proposed resolution would grant revocable permission to PCL Construction Services, Inc. to temporarily close and occupy the Southerly sidewalk of Pine Street between Franklin Street and Van Ness Avenue during construction operations at the San Francisco Towers Project, a privately funded retirement and life-time care facility for senior citizens. The permission would be granted for a period of one year from the date of approval of the proposed resolution.

The Board of Supervisors would be authorized to revoke at will the permission to be granted to PCL Construction Services, Inc. In addition, permission would automatically be terminated if PCL Construction Services, Inc. failed to continue insurance protection for the temporary closure of the sidewalk. The permission would not become effective until PCL Construction Services, Inc. has provided evidence of insurance coverage required by DPW.

Comment: PCL Construction Services, Inc. is required to pay a non-refundable fee of $77,000 for the one-year period of occupancy and a $500 processing fee. Mr. Amir Kazemi of DPW advises that PCL Construction Services, Inc. has paid the $500 processing fee, but has not yet paid the fee of $77,000. Mr. Kazemi advises that PCL Construction Services, Inc. will pay the $77,000 fee following approval of the proposed resolution.

Recommendation: Approve the proposed resolution.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Robert Oakes
Ted Lakey

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1/18/96
Joint Meeting
w/ Housing & Land Use
committee

CALENDAR

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HOUSING AND LAND USE COMMITTEE

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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JOINT MEETING

THURSDAY, JANUARY 18, 1996, 12:00 NOON

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Tom Hsieh, Carole Migden, Barbara Kaufman, Sue Bierman, Mabel Teng

ACTING CLERK: Mary Red

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1. File 85-95-6. [Transbay Terminal] Resolution urging that Alternative One, Alternative Two, Alternative Three, Alternative Four, Alternative Five or Alternative Six be selected as the preferred alternatives for the City's Transbay Area Plan and be the Locally Preferred Alternatives for the purposes of the Joint Powers Board CalTrain Extension Environmental Impact Study; Recommending that the Joint Powers Board (JPB) pursue Townsend Street for the east-west alignment of CalTrain, work with impacted property owners along Townsend Street and with South Beach residents and property owners to minimize project impacts, that the Market/Beale Terminal Alternative be dropped, that the JPB select an underground terminal at the Transbay Terminal site, that JPB pursue full electrification of the CalTrain line, and consider clean diesel or liquefied natural gas, and that the CalTrain Storage Yard be placed at I-280/16th Street. (Supervisor Hsieh)

   ACTION:

BUDGET COMMITTEE/HOUSING AND LAND USE COMMITTEE
SAN FRANCISCO BOARD OF SUPERVISORS
401 VAN NESS AVENUE, ROOM 308
VETERANS BUILDING
SAN FRANCISCO, CA 94102

IMPORTANT
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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, FEBRUARY 1, 1996, 10:00 A.M. ROOM 410, VETERANS BUILDING

MEMBERS: Supervisors Carole Migden, Sue Bierman, Mabel Teng

CLERK: Mary Red

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Disability Access

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-1. [Stop Signs, Various Locations] Hearing recommending establishing of STOP SIGNS at various locations. DPT Order No. 968. (Department of Parking and Traffic)

STOP SIGNS - ESTABLISH.
21st Avenue and Anza Street, northeast and southwest corners, stopping Anza Street (makes this an all-way STOP).
18th and Shotwell Streets, northeast and southwest corners, stopping 18th Street (makes this an all-way STOP).
19th and Shotwell Streets, northeast and southwest corners, stopping 19th Street (makes this an all-way STOP).
21st and Shotwell Streets, northeast and southwest corners, stopping 21st Street (makes this an all-way STOP).

(b) File 19-96-1. [Parking Regulations, Various Locations] Hearing recommending revocation of "two-hour parking time limit, 7 AM - 6 PM, except Sunday" on Huron Avenue both sides, between Laura Street and Lawrence Avenue. DPT Order No. 958. (Department of Parking and Traffic)

(c) File 20-96-1. [Traffic Regulations, Market Street] Hearing recommending establishment of "Right Lane Must Turn Right" regulation on Market Street, eastbound, at Duboce Street; Market Street, eastbound, at Noe Street; Market Street, westbound, at Church Street. DPT Order 958. (Department of Parking and Traffic).

RIGHT LANE MUST TURN RIGHT - ESTABLISH.
Market Street, eastbound, at Duboce Street
Market Street, eastbound, at Noe Street
Market Street, westbound, at Church Street

(d) File 20-96-2. [Traffic Regulations, Various Locations] Hearing recommending establishment and revocation of traffic regulations, various locations. DPT Order No. 968. (Department of Parking and Traffic)

LEFT OR RIGHT TURNS ONLY 7:30 AM-8:30 AM AND 2:00 PM - 3:00 PM MONDAY THROUGH FRIDAY - ESTABLISH.
Fair Oaks Street, southbound, at 24th Street.

NO TURN ON RED - ESTABLISH.
Kearny Street, northbound, at The Embarcadero.
North Point Street, eastbound, at The Embarcadero.

NO U-TURN - ESTABLISH.
The Embarcadero, northbound, at Bay Street

RIGHT LAND MUST TURN RIGHT, EXCEPT MUNI – RESCIND
RIGHT LANE MUST TURN RIGHT, EXCEPT BUSES – ESTABLISH.
Van Ness Avenue, southbound, at Bay Street.

(e) File 40–96–1. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of street upon which time limitations shall apply. (Department of Parking and Traffic)

(f) File 40–96–2. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(g) File 124–96–1. [Vehicle Weight Restriction, Scott Street] Ordinance adding Section 28.5.46 to the San Francisco Traffic Code, adding to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic)

ACTION:

REGULAR CALENDAR

2. File 19–95–9.1. [Parking Regulations, Townsend Street] Resolution enacting parking regulations at Townsend Street, south side, between 4th and 5th Streets by establishing two–hour parking time limit, 7 AM – 6 PM, Monday through Friday. DPT. 866. (Housing & Land Use Committee)
(Continued from 1/18/96)

ACTION:

3. File 19–96–2. [Parking Regulations, Various Locations] Hearing recommending establishment of parking regulations, various locations. DPT Order No. 968. (Department of Parking and Traffic)

NOTE: The following regulations are part of Muni's Key Stops Project and are being established to accommodate wheelchair–accessible boarding platforms at these locations.

DIAGONAL (45–DEGREE ANGLE) PARKING – ESTABLISH
29th Street, north side, from Church Street to 255 feet westerly (255–foot zone).
Ashton Avenue, east side, from Ocean Avenue to 100 feet southerly (100–foot zone).
Day Street, south side, from 55 feet to 270 feet west of Church Street (215–foot zone).
Faxon Avenue, east side, from Ocean Avenue to 127 feet southerly (127–foot zone).

DIAGONAL (60)–DEGREE ANGLE) PARKING – ESTABLISH.
22nd Avenue, west side, from 30 feet to 490 feet south of Santiago Street (460–foot zone).

ACTION:

4. File 20-96-2.1 [Traffic Regulations, Various Locations] Hearing to consider traffic regulations to accommodate Muni's high level wheelchair accessible streetcar boarding platforms, various locations. Order No. 968. (Department of Parking and Traffic)

NOTE: The following regulations are part of Muni's Key Stops Project and are being established to accommodate wheelchair-accessible boarding platforms at these locations.

TOW-AWAY NO STOPPING ANYTIME - ESTABLISH.
Church Street, east side, between 29th and Day Streets
Church Street, east side, between Jersey and 24th Streets
Church Street, east side, from 29th Street to 60 feet northerly (60-foot zone).
Church Street, west side, between 24th and Elizabeth Streets.
Church Street, west side, between Day and 30th Streets.
Church Street, west side from Elizabeth Street to 90 feet northerly (90-foot zone).
Ocean Avenue, north side, between Dorado Terrace and Faxon Avenue
Ocean Avenue, south side, between Ashton and Jules Avenues.
Ocean Avenue, south side, from Jules Avenue to 70 feet easterly (70-foot zone).
San Jose Avenue, east side, from Seneca Avenue to 145 feet northerly (145-foot zone).
San Jose Avenue, east side, from Seneca Avenue to 60-feet southerly (60-foot zone).
Taraval Street, north side, between Sunset Boulevard and 36th Avenue.
Taraval Street, north side, from 23rd Avenue to 175 feet westerly (175-foot zone).
Taraval Street, north side, from 23rd Avenue to 45 feet easterly (45-foot zone).
Taraval Street, north side, from 36th Avenue to 140 feet easterly (140-foot zone).
Taraval Street, south side, between Sunset Boulevard and 37th Avenue.
Taraval Street, south side, from 22nd Avenue to 175 feet easterly (175-foot zone).
Taraval Street, south side, from 37th Avenue to 185 feet westerly (185-foot zone).

TRANSIT AND LEFT TURNS ONLY - ESTABLISH
Taraval Street, eastbound, within streetcar lane between Sunset Boulevard and 38th Avenue.
Taraval Street, westbound, within streetcar lane between Sunset Boulevard and 35th Avenue.

ACTION:

5. File 115-95-3. [Demolition/Alteration of Landmarks] Ordinance amending City Planning Code by amending Sections 1005, 1006, and 1006.6 to require review of painted murals and exterior alterations visible from a public street to landmarks or in a Historic District, and to set forth a new definition of, and procedures for, demolition. (Supervisor Bierman)
(City Planning Resolution No. 13932, adopted August 3, 1995)
(Exemption/Exclusion from Environmental Review)
(Continued from 1/18/96)

ACTION:

6. File 223-96-1. [Liquor License Transfer, 2300-16th St., Unit #203] Hearing to consider that transfer of Safeway Store #1490 liquor license from 2300-16th Street to 2300-16th Street, Unit #203, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Carmelita Botelho, Real Estate Administrator.

   ACTION:

7. File 200-95-8. [Public Works Landmark Trees] Resolution requesting the Board of Supervisors to designate four tree locations for landmark tree status because of their historical associations, aesthetic qualities, or contribution to the City's overall character. (Department of Public Works)

   ACTION:

8. File 191-96-1. [Street Lighting] Hearing to consider the feasibility of increasing street lighting in San Francisco including the placement, types, costs and financing of lights and environmental documentation. (Supervisor Bierman)

   ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, FEBRUARY 15, 1996, 10:00 A.M.　　ROOM 410, VETERANS BUILDING

MEMBERS: Supervisors Carole Migden, Sue Bierman, Mabel Teng

CLERK: Mary Red

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18–96–4. [Stop Signs, Various Locations] Hearing to consider establishment of Stop signs at various locations. DPT Order No. 979. (Department of Parking and Traffic)

STOP SIGNS – ESTABLISH.
Frederick and Shrader Streets, northeast, northwest, and southwest corners, stopping all approaches (makes this an all–way STOP).

Hawes and Shafter Avenues, northwest and southeast corners, stopping Hawes Avenue (makes this a 2–way STOP).

(b) File 19–96–3. [Parking Regulations, Various locations] Hearing to consider establishment and revocation of parking regulations, various streets. DPT Order No. 979. (Department of Parking and Traffic)

DIAGONAL (45–DEGREE ANGLE) PARKING – ESTABLISH.
Townsend Street, both sides, between 2nd Street and the Embarcadero (legalizes existing arrangement).

PERPENDICULAR (90–DEGREE ANGLE) PARKING – ESTABLISH.
Hampshire Street, west side, between 18th and 20th Streets.

UNMETERED MOTORCYCLE PARKING – ESTABLISH.
Phelan Avenue, west side, from 20 feet to 160 feet north of the south crosswalk at the southerly Cloud Circle access the City College Campus (140–foot zone, accommodating 40 motorcycles).

ONE–HOUR PARKING TIME LIMIT, 7 AM – 6 PM, MONDAY THROUGH SATURDAY – RESCIND.
PARKING METER AREA NO. 3 (2–HOUR TIME LIMIT, 9 AM – 6 PM, MONDAY THROUGH SATURDAY) – ESTABLISH.
Post Street, both sides, between Franklin and Gough Streets.

ONE–HOUR PARKING TIME LIMIT, 7 AM – 6 PM, MONDAY THROUGH SATURDAY – RESCIND.
PARKING METER AREA NO. 3(2–HOUR TIME LIMIT, 9 AM – 6 PM, MONDAY THROUGH FRIDAY) – ESTABLISH.
Battery Street, west side, between Green and Union Streets.
Green Street, north side, between Sansome and Battery Streets.
Vallejo Street, both sides, between Sansome and Battery Streets.

TWO–HOUR PARKING TIME LIMIT, 7AM – 6 PM, EXCEPT SUNDAY – RESCIND.
PARKING METER AREA NO. 3 (2–HOUR TIME LIMIT, 9 AM – 6 PM, MONDAY THROUGH SATURDAY) – ESTABLISH.
Harrison Street, both sides, between 3rd and 4th Streets.

PARKING METER AREA NO. 2 (2-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH.
Bryant Street, both sides, between 2nd and 3rd Streets.

ACTION:

REGULAR CALENDAR

2. File 115-95-3. [Demolition/Alteration of Landmarks] Ordinance amending City Planning Code by amending Sections 1005, 1006, 1006.6 and 1006.7 to require review of exterior alterations, including murals, visible from a public street to landmarks or in a historic district, to set forth provisions for review of murals, and to set forth a new definition of, and procedures for, demolition. (Supervisor Bierman)
   (City Planning Resolution No. 13932, adopted August 3, 1995)
   (Exemption/Exclusion from Environmental Review)
   (Continued from 2/1/96)

   ACTION:

3. File 223-96-2. [Liquor License, 350 Seventh Avenue] Hearing to consider that the issuance of a Type 21 off-sale general license to Smart & Final for store at 350 Seventh Avenue, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Dee Ann Catlin.

   ACTION:

4. File 223-96-3. [Liquor License, 2812 Mission Street] Hearing to consider that the transfer of a Type 20 off-sale beer and wine license from 2400 Folsom Street to 2812 Mission Street to Tom Carmichael for the southerland Corporation, will serve the convenience and necessity of the people of the City and County of San Francisco.

   ACTION:

5. File 52-96-1. [Underground District No. 310, Presidio Heights] Ordinance amending Ordinance No. 178-94, which amended Ordinance No. 220-79, to redefine Underground District No. 310, Presidio Heights District, by requiring that all serial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and by requiring property owners to provide and maintain the underground supporting structures on their property. (Department of Public Works)

   ACTION:

6. File 200-96-1. [Public Toilet, Kiosks, JC Decaux Company] Hearing to consider the JC Decaux Company's kiosks as it relates to disability access issues and compliance with the contract between the City and JC Decaux. (Supervisor Bierman)

   ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

February 13, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: February 15, 1996 Housing and Land Use Committee Meeting

Item 2 - File 115-95-3

Note: This item was continued from the Housing and Land Use Committee Meeting of February 1, 1996.

Item: Ordinance amending City Planning Code by amending Sections 1005, 1006, and 1006.6 to require review of changes to painted murals and exterior alterations visible from a public street on designated landmark sites or in a Historic District, and to set forth a new definition of, and procedures for, demolition of landmark sites and in Historic Districts.

Description: The proposed ordinance would amend the City Planning Code sections which pertain to designated landmark sites and designated Historic Districts, as follows:

- The City Planning Code contains a list of the types of changes to designated landmark sites and to sites within designated Historic Districts which require certain reviews by the City Planning Department, and permits issued by the Landmarks Preservation Advisory Board and the Planning Commission. Under the proposed legislation, this list would be amended to include changes to murals and other "exterior changes visible from a public street." Changes in the paint color of murals would be excluded from the requirement for reviews and permits.

- The proposed legislation would specify that in reviewing an application for a Certificate of Appropriateness for a mural, the

Planning Commission and the Landmarks Preservation Advisory Board may consider the placement, size, and location, of a mural in determining whether the mural would affect existing historic or architecturally significant structures, but may not consider the content or artistic merit of the mural in making its decision.

- The proposed ordinance would add a definition of "demolition" to the City Planning Code sections regarding designated landmark sites and sites within designated Historic Districts. Demolition would be defined to mean any one of; (a) removal of more than 25% of the surface of all external walls facing a public street, (b) removal of more than 50% of all external walls from their function as external walls, (c) removal of more than 25% of external walls from their function as either external or internal walls, or, (d) removal of more than 75% of the existing internal columns or load-bearing walls and floors unless the Landmarks Preservation Advisory Board determines that such removal is the only feasible means to meet the standards for seismic load and forces of the latest adopted version of the San Francisco Building Code and the State Historical Building Code.

- The City Planning Code currently requires the Planning Commission, when reviewing applications for removal or demolition at designated landmarks and within designated Historic Districts, to either; (a) approve the demolition, or , (b) suspend action on the demolition for a period of up to 180 days, during which time the Board of Supervisors reviews the application and either approves the demolition or extends the suspension to preserve the structure. The proposed ordinance would add a third option, (c) allowing the Planning Commission to disapprove applications for removal or demolition on its own authority, without review by the Board of Supervisors.

Comments:

1. Mr. Vincent Marsh of the Planning Department reports that if the proposed ordinance is approved and the City's Planning Code is amended to; (a) require that the Planning Department review and issue permits for changes to murals and/or any other "exterior changes visible from a public street," at designated landmarks and within designated Historic Districts, and, (b) add a definition of "demolition" and amend the procedures for approval of demolition permits for landmark sites and within Historic Districts, such changes would entail only a minimal increase in the Planning Department's workload, and could be carried out using existing staff. Mr. Marsh notes that, currently, 1.5 FTE are assigned to landmark buildings and historic preservation matters in the Planning Department.

2. The City Planning Department's existing schedule of fees, as previously approved by the Board of Supervisors, specifies a range of fees for review of a substantial alteration to a landmark site beginning at $226 for a project with a construction cost of up to $999, and ranging up to $904 for projects with a construction cost of over $10,000, or higher based on the construction cost of the project. The Department's fee for review of a demolition permit request is $322 plus the cost of time and materials after 4 hours, plus 13 percent of the total cost of the review.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 5 - File 52-96-1

Department: Department of Public Works (DPW)

Item: Ordinance amending Ordinance No. 178-94, which amended Ordinance No. 220-79, to redefine Underground District No. 310, Presidio Heights District, by requiring that all aerial utility facilities in this district, including those located on private property or in rear easements, be placed underground, and by requiring property owners to provide and maintain the underground supporting structures on their property.

Description: In May of 1979, the Board of Supervisors approved an ordinance amending Section 901 et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (the Public Works Code) to create Underground District No. 310 in the Presidio Heights neighborhood in order to provide for the undergrounding of aerial utility facilities, (street poles, utility wires and cables) located in the public right-of way (File 52-79-1). In July of 1994, the Board of Supervisors approved an amendment to the ordinance which added additional property to District No. 310 (File 52-94-1). The attached map outlines the borders of District No. 310.

The purpose of an underground district is to (1) further public interest by eliminating unusually heavy concentrations of overhead utility wires and cables along City streets, and (2) enable the utility companies, Pacific Gas and Electric and Pacific Bell, as well as Viacom Cable, to dig trenches along City streets, lay conduits (pipes) in the trenches, and install wire or cable into the conduits for service to properties fronting each street in underground districts.

The proposed ordinance would amend the existing ordinance by adding Section 4 to Chapter X, Part II of the San Francisco Municipal Code. Section 4 would require that all aerial utility facilities in Underground District No. 310, including aerial utility facilities located on private property or in rear easements (back yards), be placed underground. The current ordinance only applies to aerial utility facilities located in the public-right-of way, and does not include those facilities located on private property or in rear easements.

Comment: 1. According to Mr. Thomas Trimbur of the DPW, property owners in Underground District No. 310 must pay private electrical contractors for 100 percent of the cost to rewire their property in order to accept the new utility and cable connections coming into the ground floor of each structure. Mr. Trimbur advises the cost will be approximately $1,000 to $2,000 for each property owner. Mr. Trimbur advises that there will be no incremental costs to the City if this proposed ordinance is approved.

2. The Public Works Code requires that the Department of Public Works hold a public hearing regarding the proposed additional undergrounding. According to Mr. Trimbur, on January 24, 1996, a hearing was held on the proposed undergrounding of aerial utility facilities located on private property, including rear easements, at which no written or verbal protests were made. Mr. Trimbur advises that public notices pertaining to the hearing were mailed to all affected property owners. The proposed ordinance stipulates that work on the proposed additional undergrounding on private property and rear easements shall commence subsequent to approval of the proposed legislation by the Board of Supervisors.

3. Mr. Trimbur advises that the utility companies are expected to commence work on the proposed undergrounding on private property and rear easements in August of 1996, and are expected to complete the proposed undergrounding work by FY 1998-99. According to Mr. Trimbur, the private property located in District No. 310 is primarily residential.

4. According to Mr. Trimbur, the previously approved undergrounding of aerial utility facilities located on public-right-of ways in District No. 310 commenced in March of 1995, and is expected to be completed in FY 1998-99.

Recommendation: Approve the proposed ordinance.

Attachment

DEPARTMENT OF PUBLIC WORKS
UNDERGROUND PROGRAM

DISTRICT 310 PRESIDIO HEIGHTS

MILEAGE:
1 - 1.62
2 - 0.72
3 - 0.72
4 - 1.26

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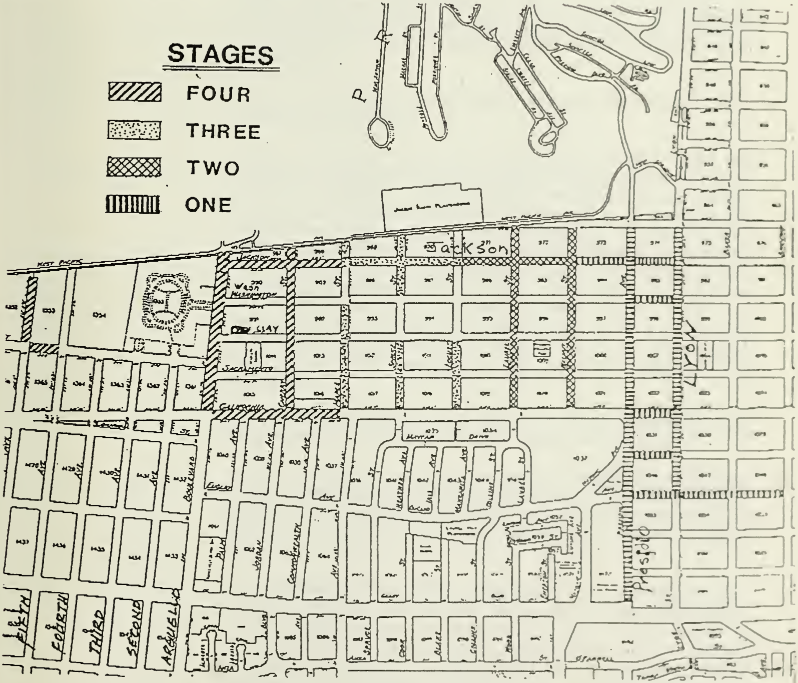
Co. Bdg. Anlz.	Co. DPW/BSM
Dept.	Phone # 554-6167
Fax # 252-0461	Fax # 554-5843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Arguello
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Item 6 - File 200-96-1

Item: Hearing to consider the J.C. Decaux Company's toilets and kiosks as they relate to disability access issues and to compliance with the contract between the City and J.C. Decaux.

Description: In August of 1994, the Board of Supervisors approved a final, amended contract between the City and J.C. Decaux United Street Furniture (Decaux) to provide for the placement of public toilets on public property in San Francisco in exchange for granting to Decaux the right to place public service kiosks on public property and to sell advertising on those kiosks (File 115-93-8.1).

Major provisions of the contract between the City and J.C. Decaux are as follows:

- There will be two year trial period during which Decaux will install and operate 20 toilets and 90 kiosks, for a ratio of 1 toilet to 4.5 kiosks. At the end of the two year trial period, the City has the option to either end the program or continue the program with the installation of an additional 7 toilets and 31 kiosks, and, at the City's option, a further additional 23 toilets and 104 kiosks, for an overall total of up to 50 toilets and 225 kiosks, for the same ratio of 1 toilet to 4.5 kiosks. The City has the option to terminate the program after the two year trial period only if the Board of Supervisors makes a good faith determination that the toilet program has been unsuccessful due to excessive downtime, vandalism, or misuse of the facilities.

- Decaux will bear the entire cost of installing and maintaining the toilets and kiosks, at no cost to the City.

- After permits are issued, the City can request the relocation of up to one toilet or three kiosks in any 12-month period at Decaux's cost, however, any additional relocations requested by the City during that 12-month period would be at the City's cost.

- The public toilets require a 25¢ user fee to enter and use the facility. Decaux must provide tokens for the use of homeless and/or disabled persons who do not have 25¢, with such tokens to be distributed by non-profit organizations and at nearby newsstands. Decaux is required to keep an estimated 10,000 tokens in circulation at all times, replacing tokens as necessary.

- In order to cover the City's costs to administer the program, Decaux will pay the City an annual fee of $25,000 for the first 27 toilets and $500 annually for each toilet beyond 27, adjusted each year by the rate of inflation. In addition, Decaux must pay the City a one-time fee of $350 for each toilet and for each kiosk to defray the cost of holding public hearings and determining specific locations for the toilets and kiosks.

- Decaux must pay the City 2 percent of the net revenues earned from the sale of advertising on the kiosks if such revenues exceed $18,000 per kiosk annually for the first seven years of the program, and 5 percent of net advertising revenues if such advertising revenues exceed $18,000 per kiosk beginning in the eighth year of the program, or, if the net advertising revenues exceed $25,000 per kiosk, 7 percent of net advertising revenues beginning in the eighth year of the program, adjusted each year by the rate of inflation.

- One of the three sides of each kiosk must be devoted to public service uses or material, such as newsstands, City maps, public art, or announcements.

- If the City chooses to end the program after the two year trial period, the City may either; (a) have the toilets removed at Decaux's expense and have the kiosks removed, also at Decaux's expense, three years thereafter (five years from the start of the contract), or, (b) have the toilets removed and negotiate an amendment to the contract with Decaux such that the City would receive all advertising revenues from the kiosks in excess of an amount sufficient to cover Decaux's cost for the installation of the toilets and kiosks, and a reasonable return on Decaux's investment. Such a new contract would be subject to review and approval by the Board of Supervisors.

Comments:

1. Deputy City Attorney Judy Boyajian reports that, as of the writing of this report, the City Attorney is working with the Mayor's Office to review a number of issues pertaining to the agreement between the City and Decaux, including the issues of; (a) excess advertising displayed on the kiosks, (b) rotation of the kiosks, and, (c) disabled access to the kiosks. Ms. Boyajian advises that staff of the City Attorney's Office will be available at the February 15, 1996 meeting of the Housing and Land Use Committee.

2. According to Mr. Jake Szeto of the Department of Public Works (DPW), as of February 7, 1996, Decaux had installed a total of 16 toilets and 88 kiosks, of which 65 kiosks have

advertising in place. Based on the 16 toilets and 65 advertising kiosks, for a ratio of 1 toilet to 4.0625 kiosks with advertising, the DPW advises that they consider Decaux to be in compliance with the contract on this issue at this time. Ms. Boyajian advises that the City Attorney would also consider Decaux to be in compliance at this time, providing that the figures shown above as reported by DPW are correct. Mr. Szeto reports that installation of the remaining 4 toilets is expected to be completed by the end of the February. Under the contract with the City, Decaux is required to complete installation of the first 20 toilets within six months of the date by which all permits for the toilets and kiosks had been issued, known as the "start date" of the program, which was November 30, 1995, as designated by DPW.

3. Mr. Szeto advises that during a two week period in December 1995, the number of kiosks with advertising exceeded the ratio specified in the contract, and, during this period, Decaux was considered by the DPW to be out of compliance with the contract. The Mayor has requested that Decaux turn over to the City the excess advertising revenues earned during this two week period. Decaux has not agreed that they were out of compliance with the contract on this issue, however, as of February 1, 1996, Decaux paid the City approximately $36,000, as a gesture of good faith. As noted above, the City Attorney is also presently reviewing the issue of excess advertising on the kiosks.

4. Mr. Szeto advises that City staff including the DPW's disability access coordinator met during the week of February 5th with Decaux regarding the issue of disabled access to the kiosks. According to the DPW, some newsstand kiosks are designed with "roll-up" doors, which present access problems to employees using a wheelchair who are stationed in those kiosks. These kiosks were a modification from the specifications in the contract approved by the Board of Supervisors. In addition, some kiosks have a "path of travel" access problem in which the kiosk is located on a sidewalk with a slope and has therefore been installed with a step that cannot be negotiated by a wheelchair. According to Mr. Szeto, a deadline of February 16th has been set by which time Decaux will present the DPW with a plan for correcting these disability access problems.

5. Mr. Szeto advises that an Appendix to the contract between the City and Decaux contains an option which allows advertising kiosks to rotate. However, the language of the Appendix does not specify whether Decaux must have the City's permission for kiosks to rotate, according to the DPW.

According to the City Attorney, rotating kiosks would require approval by the appropriate City regulatory agencies, such as the Planning Commission. Mr. Szeto notes that the DPW has demanded that Decaux stop the rotating kiosks, however, to date, Decaux has not stopped the rotating kiosks in response to the DPW's demand. As noted above, the City Attorney is currently reviewing this issue.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Sam Yockey
Paul Horcher
Ted Lakey

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

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March 5, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: March 7, 1996 Housing and Land Use Committee Meeting

Item 7 - File 115-95-16

Note: This item was continued by the Housing and Land Use Committee meeting of December 14, 1995.

Department: Department of City Planning (DCP)

Item: Ordinance amending the Planning Code to add Section 313 extending the duration of the Office Affordable Housing Production Program Ordinance, extending the expiration date of interim guidelines credits, allocating $100,000 from the Affordable Housing Fund to update and expand studies showing the relationship between office and other commercial development and housing demand, adding findings on the City's current housing needs and the validity of the formula for housing production requirements for new office development, and providing for an evaluation of the Ordinance.

Description: The original Office Affordable Housing Production Program (OAHPP) Ordinance was adopted by the Board of Supervisors in 1984. This ordinance established a policy that new office developments should assist in meeting the low income affordable housing demand that they generate, and provided formulas that established affordable housing production requirements to be met by developers of office space (either through payment by the office developer to a low income

[redacted]

affordable housing developer approved by the City, or through payment by the office developer to a City Affordable Housing Fund administered by the Mayor's Office of Housing).

The OAHPP Ordinance applies to office development projects involving a net addition of 25,000 or more gross square feet of office space anywhere in San Francisco, except projects on property owned by the Federal government, the State of California, or under the jurisdiction of the San Francisco Redevelopment Agency (SFRA) or the Port of San Francisco. Approval of applications for development of such office projects was, under the original ordinance (and would be, under the proposed ordinance) conditioned on the applicant paying a housing developer to construct housing, 62 percent of which must be affordable to moderate or low income households, or paying an in-lieu fee to the City Controller for deposit to the City's Affordable Housing Fund, to be used exclusively for the development of affordable housing for households of lower or moderate income. See Comment No. 1 for a summary of the formulas contained in the original and the proposed ordinance for calculating the affordable housing production requirements to be met by office developers, as well as the definitions of affordable housing for low and median income households.

The original OAHPP Ordinance contained a five-year sunset clause. However, in 1990 the Ordinance was amended and extended to August 18, 1994. Mr. Roger Herrera of the DCP states that the DCP did not become aware of the deadline for further extension of the OAHPP Ordinance until recently. Therefore, on August 18, 1994 the OAHPP Ordinance expired. The proposed ordinance would amend the Planning Code to reinstate the OAHPP ordinance, with the following changes from the original ordinance:

- The addition of a statement which cites statistics from a November 1994 analysis of the OAHPP Formula prepared by the DCP related to construction of new housing units in the City, and establishing that housing production should average 2,300 units per year to keep up with the City's share of regional housing demand. This section states that the City needs 64,000 new housing units to relieve the existing housing shortage of units affordable to low income households.

- The allocation by the DCP of $100,000 from the Affordable Housing Fund to update a 1984 consultant study and the more recent 1994 DCP study showing the relationship between office development and housing demand. The proposed ordinance states that the updated study should be commenced within six months of the effective date of the ordinance, and that the Director of the DCP should report to the Planning Commission, the Board of Supervisors and the Mayor on the results of the study within 18 months of the effective date of the ordinance. The DCP Director would also report on the status of compliance with the ordinance, and the efficacy of the ordinance in mitigating the City's shortage of affordable housing.

- Extension of the expiration date for interim guidelines credits. Mr. Roger Herrera of the DCP states that the interim guidelines credits pertain to affordable housing contributions made by office developers prior to adoption of the OAHPP Ordinance in 1984, pursuant to development agreements that were approved by the Planning Commission on a case-by-case basis. In cases where the office developers made housing contributions in excess of the amount required by their development agreements, they were given "credits" for use in satisfying the housing requirement for future office projects. Mr. Herrera advises that the original OAHPP Ordinance included provisions allowing developers to convert these old credits into credits under the OAHPP. Such converted credits expired on August 11, 1994. The proposed ordinance would extend such credits for another 34 months (two years, 10 months).

- The requirement that the DCP Director provide only one evaluation report (the report referred to above), rather than annual reports, on the OAHPP Program to the Planning Commission and the Board of Supervisors.

Mr. Herrera states that, other than the changes noted above, the proposed ordinance is the same as the OAHPP Ordinance that expired on August 18, 1994.

Comments:

1. In cases where the office developer elects to make a payment to a housing developer, the formula for determining the required payment is as follows:

Net Additional Gross Square Feet of Office Space x .000386 = Number of Housing Units Required to be Constructed.

At least 62 percent of those housing units required to be constructed must be affordable to qualifying households (See below) continuously for 50 years. The actual amount of the payment made by the office developer to the housing developer would depend upon the housing developer's construction costs to produce the required number of housing units.

If the office developer elects to pay a fee to the City in lieu of providing the housing required under the formula shown above, the formula for computing the required payment to the City's Affordable Housing Fund is as follows:

Net Additional Gross Square Feet of Office Space x $7.05 =
Total Fee

The $7.05 multiplier is to be revised on January 1st of each year, by the percentage increase or decrease in the Average Area Purchase Price Safe Harbor Limitations for New Single-Family Residences for the San Francisco Primary Metropolitan Statistical Area (Average Area Purchase Price) established by the Internal Revenue Service, up to a maximum annual increase of 20 percent.

Mr. Olson Lee of the MOH advises that the original, 1984 multiplier was approximately $5.00. Mr. Lee states that, from 1984 to 1990, the multiplier was adjusted by the Building Cost Index. In 1990, the OAHPP Ordinance was amended and the Average Area Purchase Price was substituted for the Building Cost Index for use in adjusting the multiplier. The $7.05 multiplier contained in the proposed ordinance represents the 1990 multiplier, adjusted to 1995 dollars by the percentage change in the Average Area Purchase Price from 1990 to 1995.

The ordinance defines households of lower income and households of moderate income to mean households with combined annual net income for all adult members which does not exceed the definitions of a lower-income family or a median-income family, respectively, as set forth for San Francisco in Section 6932 of Title 25 of the California Code of Regulations. The ordinance states that affordability to a household for owner-occupied housing is to be based on a purchase price, downpayment and financing that result in an annual payment for all housing costs of 33 percent of the combined household annual net income. Affordability for rental housing is to be based on an annual payment for all housing costs of 30 percent of the combined annual net income.

2. Section 313.12 of the amended ordinance contains language requested by the Controller appropriating receipts in the Citywide Affordable Housing Fund in accordance with State law to be used solely to increase the supply of housing

affordable to qualifying households. Mr. John Madden of the Controller's Office states that the original OAHPP Ordinance did not have specific language appropriating the Fund, although in practice such appropriation has been assumed. Section 313.12 states that the Director of the DCP has budgetary authority to administer and expend the Fund. Section 313.12 retains language from the original OAHPP Ordinance prohibiting use of the Fund to pay any administrative, general overhead or similar expenses of any entity, except for the $100,000 which is appropriated for updating the studies showing the relationship between office development and housing demand.

Recommendation: Approval of the proposed ordinance is a policy decision for the Board of Supervisors.

Item 12 - File 191-96-1

Item: Hearing to consider the feasibility of increasing street lighting in San Francisco including the placement, types, costs and financing of lights and environmental documentation.

Description: This is a hearing to consider the feasibility of increasing street lighting in San Francisco, including the placement, types, cost and financing of lights and environmental documentation.

The City's Public Utilities Commission (PUC) is charged with the approval of City street lighting design and lay-out, as well as with maintenance of City street lights. According to Mr. Ray Yamagishi of the Bureau of Light, Heat and Power, the PUC is guided in regard to street lighting by specifications provided by the Illumination and Engineering Society of North America, which state that the illumination level of any City street should be at least .4 foot candles. (A foot candle is a measure of illumination.) Mr. Yamagishi advises that, to that end, the City owns approximately 20,000 street lights, and PG&E owns approximately 20,000 street lights, for a total of approximately 40,000 street lights in the City. In general, PG&E's street lights are mounted on utility poles, while the City's street lights are Cobra or post-top lights[1] powered by underground wires. The City operates and maintains its own street lights, and reimburses PG&E for operation and maintenance of PG&E-owned lights. The Bureau of Light, Heat and Power's FY 1995-96 budget includes $521,006 to the Department of Electricity and Telecommunications for maintenance of the City's street lights, and approximately $1.2 million to reimburse PG&E for maintenance of PG&E's street lights. The Bureau of Light Heat and Power's budget also includes approximately $129,000 for street light parts, such as poles, bracket arms, light fixtures, and light bulbs.

In addition, costs for electricity to operate the lights are paid from the Bureau of Light, Heat and Power's budget. Mr. Yamagishi advises that the total cost for electricity to operate only the street lights is approximately $900,000 for FY 1995-96. Mr. Yamagishi further advises that the cost per kilowat hour to operate the lights is equal to Hetch Hetchy rates, at 2.786¢ per kilowat hour. The Bureau of Light, Heat and Power provides 4,100 hours of street lighting per year for approximately 40,000 street lights. However, the number of kilowat hours required per light is based on the wattage of the individual lights. The higher the wattage, the higher the number of kilowat hours required to operate the street light.

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[1] Cobra lights are lights that extend over the street on 30 foot poles, while post-top lights are lights set atop 18 foot poles on sidewalks.

All of the costs associated with maintaining and operating street lights, including electricity, maintenance by the Department of Electricity and Telecommunications and PG&E, and replacement parts, are supported by the City's General Fund (see Comment 3).

The Department of Public Works (DPW) Bureau of Street Use is responsible for street lighting as it relates to the undergrounding of utilities, major capital improvement projects, and managing public right-of-ways. According to Mr. Tom Trimbur of the DPW, whenever the DPW undergrounds utilities (i.e., removes the overhead wiring for utilities and installs underground wiring instead), a new lighting system must be installed in that area. Such new lighting systems are typically better than the old lighting systems, Mr. Trimbur reports, because new systems generally provide more frequent, better spaced street lights. Undergrounding utilities is typically funded by special assessment districts which are established by the Board of Supervisors at the request of the DPW, based on petitions from at least 60 percent of neighborhood residents. Mr. Trimbur advises that the total assessment per property for the new street lighting system has been typically estimated to range between $1,500 and $2,500. However, Mr. Trimbur reports that the cost for a 25-foot frontage for a recently established street lighting assessment district in Sutro Heights was $1,072, or substantially less than the above estimated range. Neighborhood residents can choose to pay the total assessment per property over a single year or over a five-year period.

Mr. Trimbur states that the DPW attempts to underground overhead utility wires and install new street lighting systems in relation to other major capital improvement projects, such as a current major project in the Brewster/Joy area of Bernal Heights, which involves building new roads and upgrading other systems. The Bernal Heights project is funded from Sales Tax funds, as approved by the voters in November, 1989 (Proposition B). Mr. Trimbur advises that the DPW has identified funding for a new street lighting system as part of the overall capital improvement project. This new street lighting system will consist of 18 foot high post-top street lights in the Brewster/Joy area of Bernal Heights. This new street lighting system, along with the rest of the project, is in the final design stage. The DPW is currently attempting to include underground utilities and new street lighting systems in other major capital improvement projects.

Comments:

1. According to *Urban Design: An Element of the Master Plan of the City and County of San Francisco*, prepared by the Department of City Planning, San Francisco already meets or exceeds lighting standards for brightness, types of lighting and spacing between lighting, established by the Illuminating Engineering Society of North America.

2. The Planning Department has prepared a Civic Center Strategic Plan designed to encourage businesses to locate in Civic Center. This plan involves installing pedestrian-level street lights on trolley poles, at building entrances, and at parking facilities.

3. As noted above, currently, the General Fund supports the cost of operating and maintaining street lights. Ms. Tina Olson of the DPW advises that, although street light maintenance and operating costs are eligible to be supported by State-allocated Road Fund/Gas Taxes, Road Fund/Gas Taxes have not been used for that purpose. In regard to street lighting, Road Fund/Gas Taxes have only been used to support the cost of installing street lights in connection with capital projects. According to Ms. Olson, Road Fund/Gas Taxes are currently entirely expended for other activities, such as street cleaning, irrigation for road medians, non-resurfacing street repair (e.g., filling potholes), and capital projects. Since Road Fund/Gas Tax funds are already entirely expended, Ms. Olson reports, the use of Road Fund/Gas Tax funds for the maintenance and operation of street lights would require a reduction of costs in other areas.

4. According to Mr. Dan McFarland, Director of the Department of Electricity and Telecommunications (DET), the City previously paid approximately $1 million for maintenance of the approximately 20,000 City-owned street lights. In FY 1993-94, the DET submitted a competitive bid to perform these services, and was awarded a contract in the amount of $512,006. Mr. McFarland reports that the DET could likely perform maintenance work on the approximately 20,000 PG&E-owned street lights for approximately the same cost, and would be eager to perform such services. As noted above, the City pays PG&E approximately $1.2 million to maintain its lights. Thus, if DET provided maintenance

services for PG&E-owned street lights at a cost of approximately $512,000, the City could save up to an estimated $688,000 per annum. However, Mr. Yamagishi advises that PG&E, which is regulated by the California State Public Utilities Commission, would not allow their lighting system to be maintained by the City unless the City purchased PG&E's system.

5. The Government Efficiency and Labor Committee approved a resolution at its February 27, 1996 meeting allowing the Public Transportation Commission to apply for, accept and expend up to $1 million in Federal Transit Administration Capital Assistance Section 3 Funds and up to $250,000 in local matching funds. These grant funds would support the purchase and installation of pedestrian-scale street lamps on the inner side of the sidewalk along Mission Street between 13th and Randall Streets.

6. A Task Force on Street Lighting has been convened by the Director of Hetch Hetchy to discuss issues related to street lighting. The Task Force is comprised of City employees who work on issues related to street lighting, as follows:

- √ The Director of Hetch Hetchy and one other representative of the PUC;
- √ The Director of the DPW's Bureau of Street Use;
- √ One DPW landscape architect;
- √ Two representatives of the Municipal Railway;
- √ One representative of the Arts Commission;
- √ Two representatives of the Bureau of Light, Heat and Power;
- √ One representative of Supervisor Leal's Office.

According to Mr. John Deakin of the PUC, the Task Force on Street Lighting has several objectives, some broad and some specific, as follows:

- √ Develop a policy on street lighting in the Mission pursuant to the grant application noted above;
- √ Develop a policy on street lighting pursuant to the Civic Center Strategic Plan noted above;

- √ Develop a plan of action in regard to the Stockton Street Tunnel in response to citizen complaints regarding the level of lighting inside the Tunnel;
- √ Develop a standard set of equipment from which neighborhoods requesting additional street lighting may choose, including a list of costs for installation and maintenance of the different styles of lighting;
- √ Develop a policy in regard to the recommendations of San Francisco Beautiful, a non-profit organization, which has provided a series of recommendations on street lighting to the Task Force.

According to Mr. Deakin, the Task Force met for the second time on February 22, 1996. Mr. Deakin advises that the Task Force has not developed any written recommendations as of the writing of this report, but that such recommendations will be provided to the Board of Supervisors as they are developed.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Sam Yockey
Paul Horcher
Ted Lakey

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REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MARCH 7, 1996 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Carole Migden, Sue Bierman, Mabel Teng

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-5. [Stop Signs, Various Locations] Hearing to consider establishing of Stop Signs at various locations. (DPT Order No. 995) (Department of Parking and Traffic)

Stop Signs - Establish
26th and Minnesota Streets, northwest and southeast corners, stopping Minnesota Street (makes this a 2-way STOP).
Cameron Way and Fitzgerald Street, northwest corner, stopping Cameron Way (stops the stem of this T-intersection).
Castro and Chenery Streets, northwest corner, stopping Castro Street (stops the stem of this T-intersection).
Diamond Heights Boulevard and Camelian Way, stopping eastbound left turns from Diamond Heights Boulevard (stops all approaches except eastbound through-movement).
Idora Avenue and Laguna Honda Boulevard, northeast and southwest corners, stopping Idora Avenue (makes this a 2-way STOP).
Jarboe Avenue and Bradford Street, northwest and southeast corners, stopping Bradford Street (makes this a 2-way STOP.
Jarboe Avenue and Bronte Street, northwest and southeast corners, stopping Bronte Street (makes this a 2-way STOP).
Jarboe Avenue and Putnam Street, northwest and southeast corners, stopping Putnam Street (makes this a 2-way STOP).
Prospect and Coso Avenues, southeast corner, stopping Prospect Avenue (stops the stem of this T-intersection).

(b) File 18-96-2. [Stop Signs, 46th Avenue/Vicente Street] Resolution designating 46th Avenue and Vicente Street as an all-way Stop intersection. (Supervisor Shelley)

(c) File 18-96-3. [Stop Signs, 46th Avenue/Ulloa Street] Resolution designating 46th Avenue and Ulloa Street as an all-way Stop intersection. (Supervisor Shelley)

(d) File 19-96-4. [Parking Regulations, Turk/Laguna Streets] Hearing to consider revocation of parking regulations at Turk Street. (DPT Order No. 995) (Department of Parking and Traffic)

Tow-Away, No Parking Anytime - Rescind
Turk Street, south side, from 260 feet to 510 feet east of Laguna Street (250-foot zone, to be replaced by a red zone).

(e) File 20-96-4. [Traffic Regulations, Various Locations] Hearing to consider establishing traffic regulations, various locations. (DPT Order No. 995) (Department of Parking and Traffic)

No U-Turns - Establish
Clarendon Avenue, eastbound, at Dellbrook Avenue.
Clarendon Avenue, eastbound, at Olympia Way.
Clarendon Avenue, eastbound, at Panorama Drive.
Clarendon Avenue, westbound, at Galewood Circle.
Clarendon Avenue, westbound, at Johnstone Drive.
Clarendon Avenue, westbound, at Oak Park Drive.
Clarendon Avenue, westbound, at median opening approximately 500 feet east of Olympia Way.

Yield Sign - Establish
Clipper Street and Diamond Heights Boulevard, southwest corner, facing eastbound Clipper Street (presently uncontrolled).

(f) File 40-96-4. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(g) File 40-96-5. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(h) File 40-96-6. [Residential Parking Area "V", Balboa Park] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION: Items (a), (e) and g removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 18-96-5. Hearing held. Question divided. Question on establishing stop signs at Jarboe Avenue severed and considered separately under File 18-96-5.1. Remainder of Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Stop Intersections] Resolution designating certain intersections as stop intersections." Recommended.

File 18-96-5.1. Question of "Considering the establishment of 'Stop Signs' on Jarboe Avenue" severed from File 18-96-5. Consideration continued to the Call of the Chair.

b. File 18-96-2. Recommended.

c. File 18-96-3. Recommended.

d. File 19-96-4. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "Rescinding parking regulation at Turk Street." Recommended.

e. File 20-96-4. Hearing held. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "Enacting traffic regulations on various streets." Recommended.

f. File 40-96-4. Recommended.

g. File 40-96-5. Hearing held. Recommended.

h. File 40-96-6. Recommended.

REGULAR CALENDAR

2. File 124-96-3. [Commercial Vehicle Weight Restrictions] Ordinance amending Traffic Code by adding Sections 28.5.49 and 28.5.50, adding to the list of streets upon which a commercial vehicle weight restriction shall apply; portions of Green and Vallejo Streets. (Department of Parking and Traffic)

   ACTION: Hearing held. Recommended. (Supervisors Teng and Bierman added as co-sponsors.)

3. File 121-96-5. [Tour Bus Restrictions] Ordinance amending Police Code by adding Sections 1183.27 and 1183.28, adding to the list of streets upon which a tour bus restriction shall apply; portions of Green and Vallejo Streets. (Department of Parking and Traffic)

   ACTION: Hearing held. Recommended. (Supervisors Teng and Bierman added as co-sponsors.)

4. File 223-96-4. [Liquor License, 1229 Cortland Avenue] Hearing to consider that the issuance of a Type 20 off-sale beer and wine license to 1229 Cortland Avenue, to John O. Aghedo for Nevada Market, will serve the convenience and necessity of the people of the City and County of San Francisco.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 20 off-sale beer and wine license for 1229 Cortland Avenue, to John O. Aghedo for Nevada Market, will serve the convenience and necessity of the people of the City and County of San Francisco, accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

5. File 223-96-5. [Liquor License, Pier 39, Space G-11] Hearing to consider that the issuance of a Type 21 off-sale general alcohol beverage control license to Monika D. Steiner for Pier 39, Space G-11, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Monika D. Steiner.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 21 off-sale general alcohol beverage control license to Monika D. Steiner for Pier 39, Space G-11, will serve the convenience and necessity of the people of the City and County of San Francisco, accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

6. File 223-96-6. [Liquor License, 584 Pacific Avenue] Hearing to consider that the issuance of a Type 40 on-sale beer license for 584 Pacific Avenue to Jeffrey Oxenhorn for Korox, Inc. dba Dark Horse Coffee, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Jeffrey Oxenhorn, President

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 40 on-sale beer license for 584 Pacific Avenue to Jeffrey Oxenhorn for Korox, Inc. dba Dark Horse Coffee, will serve the convenience and necessity of the people of the City and County of San Francisco, accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

7. File 115-95-16. [Office of Affordable Housing Production Program] Ordinance amending Planning Code to add Section 313 extending the duration of the Office of Affordable Housing Production Program Ordinance, extending the expiration date of interim guidelines credits, allocating $100,000 from the Affordable Housing Fund to update and expand studies showing the relationship between office and other commercial development and housing demand, adding findings on the City's current housing needs and the validity of the formula for housing production requirements for new office development, and providing for an evaluation of the Ordinance. (Department of City Planning)
   (City Planning Resolution No. 14013 adopted 11/16/95)
   (General Rule Exclusion from Environmental Review)

   ACTION: Hearing held. Amended on page 45, line 17, after "on," by adding "an annual basis on." Recommended as amended. (Supervisors Migden, Bierman and Teng added as co-sponsors.)

8. File 36-96-1. [Zoning Map Amendment, 2789 - 25th Street] Ordinance adopting changes in land use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located at 2789 - 25th Street, Lot 13 in Assessor's Block 4277 from "P" Public Use District to M-1, Light Industrial District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)
   (City Planning Resolution No. 14048, adopted 1/25/96)
   (Exempt from Environmental Review, General Rule Exclusion)

   ACTION: Hearing held. Recommended.

9. File 115-96-3. [Oakdale Ave/Quint Street Affordable Housing SUD] Ordinance amending Planning Code by adding Section 249.16 to create the Oakdale Avenue and Quint Street Affordable Special Use District, and finding consistency with Planning Code 101.1; companion measure to File 36-96-2. (Department of City Planning)
   (City Planning Resolution No. 14045, adopted 1/25/96)
   (Exempt from Environmental Review, General Rule Exclusion)

   ACTION: Hearing held. Recommended.

10. File 36-96-2. [Zoning Map Amendments, Oakdale Avenue/Quint St.] Ordinance adopting changes in property use districts reclassification as amendments to the Zoning Map of the City and County of San Francisco concerning properties located at the southeasterly corner of Oakdale Avenue and Quint Street, Lots 14 and 15 in Assessor's Block 5320 from an RH-2 (Residential House, Two-Family) District to an RH-2 District and the Oakdale Avenue and Quint Street Affordable Housing Special Use District; and finding consistency with the Master Plan priority policies in Section 101.1 of the City Planning Code; companion measure to File 115-96-3. (Department of City Planning)
    (City Planning Resolution No. 14045, adopted 1/25/96)
    (Exempt from environmental review under General Rule Exclusion)

    ACTION: Hearing held. Recommended.

11. File 24-96-1. [Appeal, Minor Encroachment, 375 Rhode Island St.] Communication received from Beverly A. Estrada, Plug Buster's Plumbing and Heating, appealing denial by the Permit Section Manager, Bureau of Street-Use and Mapping, DPW, in its letter dated January 31, 1996 which denied the issuance of a minor sidewalk encroachment permit to legalize the construction of an existing fence, 6 feet high cyclone with vertically woven redwood slats; an additional one (1) foot of barbed wire running approximately 6 feet of the total 74 feet fence, at 375 Rhode Island Street.

    ACTION: Hearing held. Consideration continued to the Call of the Chair.

12. File 191-96-1. [Street Lighting] Hearing to consider the feasibility of increasing street lighting in San Francisco including the placement, types, costs and financing of lights and environmental documentation. (Supervisors Bierman, Teng) (Continued from 2/1/96)

    ACTION: Consideration continued to April 4, 1996, meeting.

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, MARCH 21, 1996, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Carole Migden, Sue Bierman, Mabel Teng

CLERK: Gail Johnson

* * * * * * * * * * * * * * *

Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

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For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

1. File 40-96-7. [Residential Parking Area "I", Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding Shotwell Street, between Twenty-Third and and Twenty-Fourth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

   ACTION:

2. File 40-96-8. [Residential Parking Area "C", Chinatown-Nob Hill] Resolution extending the boundaries of Residential Permit Parking Area "C" in the Chinatown-Nob Hill Area and adding Hyde Street, between Post and Sutter Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

   ACTION:

3. File 223-96-8. [Liquor License Transfer, 401-A Judah Street] Hearing to consider that the transfer of a Type-21 off-sale general alcohol beverage control license for Alan Chan from 501 Post Street, Suite 1500 to 401-A Judah Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Alan Chan.

   ACTION:

4. File 223-96-9. [Liquor License Transfer, 601 Indiana Street] Hearing to consider that the transfer of a Type 20 off-sale beer and wine license from 548 7th Street to 601 Indiana Street, to Stella Wong for Y & C Enterprises, Inc. will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Stella Wong, Y & C Enterprises, Inc.

   ACTION:

5. File 223-96-10. [Liquor License, 1745 Folsom Street] Hearing to consider that the issuance of a Type 20 off-sale beer and wine license to Jennifer Kitchen for Rainbow Grocery located at 1745 Folsom Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Jennifer Kitchen, Director, Rainbow Grocery Cooperative, Inc.

   ACTION:

6. File 24-96-1. [Appeal, Minor Encroachment, 375 Rhode Island St.] Communication received from Beverly A. Estrada, Plug Buster's Plumbing and Heating, appealing denial by the Permit Section Manager, Bureau of Street-Use and Mapping, DPW, in its letter dated January 31, 1996 which denied the issuance of a minor sidewalk encroachment permit to legalize the construction of an existing fence, 6 feet high cyclone with vertically woven redwood slats; an additional one (1) foot of barbed wire running approximately 6 feet of the total 74 feet fence, at 375 Rhode Island Street.

   (Consideration continued from 3/7/96 meeting)

   ACTION:

7. File 10-96-1. [Encroachment Permit, Perry/Third Streets] Resolution granting revocable permission to Nibbi Brothers, general contractors, to temporarily close and occupy the northerly sidewalk and a portion of the street area on Perry Street, 237.50 feet easterly of Third Street, during construction operations at 401-433 Third Street (Block 3763, Lots 82, 83, 85, 86, 89, 90, 91, 114, 115). (Department of Public Works)

   ACTION:

8. File 115-96-4. [Mission Bay Nonconforming Uses Text Amendment] Ordinance amending Planning Code by amending Section 983(e)(3) to provide a 25-year nonconforming use termination period beyond the current 10-year termination period for fully enclosed warehouse buildings east of Third Street. (Department of City Planning)

   (City Planning Resolution No. 14050, adopted 2/1/96).
   (Exempt from Environmental Review, General Rule Exclusion).

   ACTION:

9. File 238-96-1. [Sanchez Hill Development] Hearing to consider the Sanchez Hill development. (Supervisors Migden, Bierman)

   ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

IMPORTANT
HEARING NOTICE

Bill Lynch
Documents Section
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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March 19, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: March 21, 1996 Housing and Land Use Committee Meeting

Item 7 - File 10-96-1

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to Nibbi Brothers, general contractors, to temporarily close and occupy the Northerly sidewalk and a portion of the street area on Perry Street, 237.50 feet easterly of Third Street, during construction operations at 401-433 Third Street (Block 3763, Lots 82, 83, 85, 86, 89, 90, 91, 114, 115).

Description: The proposed resolution would grant revocable permission to Nibbi Brothers, to temporarily close and occupy the northerly sidewalk and a portion of the street area of Perry Street for use as a staging area during construction operations at 401-433 3rd Street. The permission would be granted from the date of approval of the proposed resolution by the Board of Supervisors through December 31, 1996, a period of approximately nine months.

The Board of Supervisors would be authorized to revoke at will the permission to be granted to Nibbi Brothers. In addition, permission would automatically be terminated if Nibbi Brothers failed to continue insurance protection for the temporary closure of the sidewalk and portion of the street area. The permission would not become effective until Nibbi

Brothers has provided evidence of insurance coverage required by DPW.

Comment: Nibbi Brothers is required to pay a non-refundable fee of $10,000 for the approximately nine month period of occupancy and a $500 processing fee. Mr. Amir Kazemi of DPW advises that Nibbi Brothers has paid the $500 processing fee, but has not yet paid the fee of $10,000. Mr. Kazemi advises that Nibbi Brothers will pay the $10,000 fee following approval of the proposed resolution.

Recommendation: Approve the proposed resolution.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Sam Yockey
Paul Horcher
Ted Lakey

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

April 2, 1996

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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting

SUBJECT: April 4, 1996 Housing and Land Use Committee Meeting

Item 4 - File 191-96-1

Note: This item was continued by the Housing and Land Use Committee at its meeting of March 7, 1996.

Item: Hearing to consider the feasibility of increasing street lighting in San Francisco including the placement, types, costs and financing of lights and environmental documentation.

Description: This is a hearing to consider the feasibility of increasing street lighting in San Francisco, including the placement, types, cost and financing of lights and environmental documentation.

The City's Public Utilities Commission (PUC) is charged with the approval of City street lighting design and lay-out, as well as with maintenance of City street lights. According to Mr. Ray Yamagishi of the Bureau of Light, Heat and Power, the PUC is guided in regard to street lighting by specifications provided by the Illumination and Engineering Society of North America, which state that the illumination level of any City street should be at least .4 foot candles. (A foot candle is a measure of illumination.) Mr. Yamagishi advises that, to that end, the City owns approximately 20,000 street lights, and PG&E owns approximately 20,000 street lights, for a total of approximately 40,000 street lights in the City. In general, PG&E's street lights are mounted on utility poles, while the City's street lights are Cobra or post-top lights[1] powered by underground wires. The City operates and maintains its own street lights, and reimburses PG&E for operation and maintenance of PG&E-owned lights. The Bureau of Light, Heat and Power's FY 1995-96 budget includes $521,006 to the Department of Electricity and Telecommunications for maintenance of the City's street lights, and approximately $1.2 million to reimburse PG&E for maintenance of PG&E's street lights. The Bureau of Light Heat and Power's budget also includes approximately $129,000 for street light parts, such as poles, bracket arms, light fixtures, and light bulbs.

In addition, costs for electricity to operate the lights are paid from the Bureau of Light, Heat and Power's budget. Mr. Yamagishi advises that the total cost for electricity to operate only the street lights is approximately $900,000 for FY 1995-96. Mr. Yamagishi further advises that the cost per kilowat hour to operate the lights is equal to Hetch Hetchy rates, at 2.786¢ per kilowat hour. The Bureau of Light, Heat and Power provides 4,100 hours of street lighting per year for approximately 40,000 street lights. However, the number of kilowat hours required per light is based on the wattage of the individual lights. The higher the wattage, the higher the number of kilowat hours required to operate the street light.

All of the costs associated with maintaining and operating street lights, including electricity, maintenance by the Department of Electricity and Telecommunications and PG&E, and replacement parts, are supported by the City's General Fund (see Comment 3).

The Department of Public Works (DPW) Bureau of Street Use is responsible for street lighting as it relates to the undergrounding of utilities, major capital improvement projects, and managing public right-of-ways. According to Mr. Tom Trimbur of the DPW, whenever the DPW undergrounds utilities (i.e., removes the overhead wiring for utilities and installs underground wiring instead), a new lighting system must be installed in that area. Such new lighting systems are typically better than the old lighting systems, Mr. Trimbur reports, because new systems generally provide more frequent, better spaced street lights. Undergrounding utilities is typically funded by special assessment districts which are established by the Board of Supervisors at the request of the DPW, based on petitions from at least 60 percent of neighborhood residents. Mr. Trimbur advises that the total assessment per property for the new street lighting system has been typically estimated to range between $1,500 and $2,500. However, Mr. Trimbur reports that the cost for a 25-foot frontage for a recently established street lighting assessment district in Sutro Heights was $1,072, or substantially less than the above estimated range. Neighborhood residents can choose to pay the total assessment per property over a single year or over a five-year period.

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[1] Cobra lights are lights that extend over the street on 30 foot poles, while post-top lights are lights set atop 18 foot poles on sidewalks.

Mr. Trimbur states that the DPW attempts to underground overhead utility wires and install new street lighting systems in relation to other major capital improvement projects, such as a current major project in the Brewster/Joy area of Bernal Heights, which involves building new roads and upgrading other systems. The Bernal Heights project is funded from Sales Tax funds, as approved by the voters in November, 1989 (Proposition B). Mr. Trimbur advises that the DPW has identified funding for a new street lighting system as part of the overall capital improvement project. This new street lighting system will consist of 18 foot high post-top street lights in the Brewster/Joy area of Bernal Heights. This new street lighting system, along with the rest of the project, is in the final design stage. The DPW is currently attempting to include underground utilities and new street lighting systems in other major capital improvement projects.

Comments:

1. According to *Urban Design: An Element of the Master Plan of the City and County of San Francisco*, prepared by the Department of City Planning, San Francisco already meets or exceeds lighting standards for brightness, types of lighting and spacing between lighting, established by the Illuminating Engineering Society of North America.

2. The Planning Department has prepared a Civic Center Strategic Plan designed to encourage businesses to locate in Civic Center. This plan involves installing pedestrian-level street lights on trolley poles, at building entrances, and at parking facilities.

3. As noted above, currently, the General Fund supports the cost of operating and maintaining street lights. Ms. Tina Olson of the DPW advises that, although street light maintenance and operating costs are eligible to be supported by State-allocated Road Fund/Gas Taxes, Road Fund/Gas

Taxes have not been used for that purpose. In regard to street lighting, Road Fund/Gas Taxes have only been used to support the cost of installing street lights in connection with capital projects. According to Ms. Olson, Road Fund/Gas Taxes are currently entirely expended for other activities, such as street cleaning, irrigation for road medians, non-resurfacing street repair (e.g., filling potholes), and capital projects. Since Road Fund/Gas Tax funds are already entirely expended, Ms. Olson reports, the use of Road Fund/Gas Tax funds for the maintenance and operation of street lights would require a reduction of costs in other areas.

4. According to Mr. Dan McFarland, Director of the Department of Electricity and Telecommunications (DET), the City previously paid approximately $1 million for maintenance of the approximately 20,000 City-owned street lights. In FY 1993-94, the DET submitted a competitive bid to perform these services, and was awarded a contract in the amount of $512,006. Mr. McFarland reports that the DET could likely perform maintenance work on the approximately 20,000 PG&E-owned street lights for approximately the same cost, and would be eager to perform such services. As noted above, the City pays PG&E approximately $1.2 million to maintain its lights. Thus, if DET provided maintenance services for PG&E-owned street lights at a cost of approximately $512,000, the City could save up to an estimated $688,000 per annum. However, Mr. Yamagishi advises that PG&E, which is regulated by the California State Public Utilities Commission, would not allow their lighting system to be maintained by the City unless the City purchased PG&E's system.

5. The Board of Supervisors approved a resolution allowing the Public Transportation Commission to apply for, accept and expend up to $1 million in Federal Transit Administration Capital Assistance Section 3 Funds and up to $250,000 in local matching funds. These grant funds would support the purchase and installation of pedestrian-scale street lamps on the inner side of the sidewalk along Mission Street between 13th and Randall Streets.

6. A Task Force on Street Lighting has been convened by the Director of Hetch Hetchy to discuss issues related to street lighting. The Task Force is comprised of City employees who work on issues related to street lighting, as follows:

√ The Director of Hetch Hetchy and one other representative of the PUC;

√ The Director of the DPW's Bureau of Street Use;

√ One DPW landscape architect;

√ Two representatives of the Municipal Railway;

√ One representative of the Arts Commission;

√ Two representatives of the Bureau of Light, Heat and Power;

√ One representative of Supervisor Leal's Office.

In addition, a member of San Francisco Beautiful attended the most recent meeting. According to Mr. John Deakin of the PUC, the Task Force on Street Lighting has several objectives, some broad and some specific, as follows:

√ Develop a policy on street lighting in the Mission pursuant to the grant application noted above;

√ Develop a policy on street lighting pursuant to the Civic Center Strategic Plan noted above;

√ Develop a plan of action in regard to the Stockton Street Tunnel in response to citizen complaints regarding the level of lighting inside the Tunnel;

√ Develop a standard set of equipment from which neighborhoods requesting additional street lighting may choose, including a list of costs for installation and maintenance of the different styles of lighting;

√ Develop a policy in regard to the recommendations of San Francisco Beautiful, a non-profit organization, which has provided a series of recommendations on street lighting to the Task Force.

According to Mr. Deakin, the Task Force met for the third time on March 19, 1996. Mr. Deakin advises that the Task Force has not developed any written recommendations as of the writing of this report, but that such recommendations will be provided to the Board of Supervisors as they are developed.

Items 6 and 7 - Files 52-96-2 and 56-96-2.1

Department: Department of Public Works (DPW)
Department of Hetch Hetchy Water and Power

Items: **Item #6 File 52-96-2**. Ordinance creating Underground District No. 322 in the Alpine Terrace/Museum Way District.

Item #7 File 52-96-2.1 Resolution determining to undertake proceedings to form an Assessment District pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in Alpine Terrace/Museum Way District.

Description: A majority of the property owners in the Alpine Terrace/Museum Way District have petitioned the City for the undergrounding of utilities in the district, in order to eliminate overhead wires and have new street lighting installed. The utilities consist of Pacific Gas and Electric (PG&E), Viacom and Pacific Bell. Because the proposed undergrounding of utilities would also require the removal of wooden poles which currently contain existing street lighting, the petitioning owners have also requested that new street lighting be installed in conjunction with the proposed underground district. The proposed new street lighting would be wired underground. The Alpine Terrace/Museum Way district would include all of Alpine Terrace, and would include portions of Waller Street, Buena Vista Avenue, Divisadero Street and Museum Way (See Attached Map).

The proposed ordinance (File 52-96-2) would create Underground District, Number 322, for the purposes of eliminating overhead utility wires and cables, and enable the utility companies of Pacific, Gas and Electric and Pacific Bell as well as Viacom to dig ditches and install utilities and cables underground.

The proposed resolution (File 52-96-2.1) would begin the proceedings to form an Assessment District, which is a method by which property owners can have new street lighting installed in an underground utilities district, instead of the existing street lighting which utilizes overhead wires. The proposed resolution (File 52-96-2.1) would also require that the DPW issue an Engineer's Report, which would specify a) which type of street lighting should be implemented, b) identify costs and c) identify a method to apportion the costs of installing the street lighting to the property owners.

According to Mr. Tom Trimbur of the DPW, utility companies including Pacific Gas & Electric (PG&E), and Pacific Bell, as well as Viacom, will provide funds for the undergrounding of their facilities, and the City would be responsible for providing funds for the new street lighting. As summarized below, the affected property owners would then have to pay 1) private electrical contractors to rewire their properties to accept the new utility and cable connections, and 2) the City for the costs of installing the new street lighting.

Comments:

1. According to Mr. Trimbur, property owners in the proposed Underground District Number 322, must pay private electrical contractors for 100 percent of the costs to rewire their property in order to accept the new utility and cable connections coming into the ground floor of each structure. The properties would be rewired specifically for utility services. The new street lighting would be installed separately by the DPW (See Comment #2). Mr. Trimbur reports that the cost for each property owner would be approximately $1,000 to $1,500 for the rewiring of utility services.

2. Mr. Trimbur estimates that 122 properties would be affected from the proposed undergrounding of utilities and the installation of new street lighting. Mr. Trimbur advises that the DPW would be responsible for installing the street lighting. Mr. Trimbur reports that the DPW would hire an outside contractor to complete the work. The proposed resolution (File 52-96-2.1) specifies that funds for the installation of the new street lighting would be advanced from Hetch Hetchy. Mr. Trimbur reports that property owners would then be assessed the additional cost for the street lighting installation as part of their property tax bill. Mr. Trimbur reports that the assessment revenues paid directly to the City would then be used to reimburse Hetch Hetchy. Mr. Trimbur estimates that the total cost for installing the new street lighting would be approximately $233,000, which is on average of $1,910 for each of the property owners. Therefore, each property owner would pay a total of approximately $2,910 to $3,410, consisting of a) $1,000 to $1,500 for the rewiring of utilities, which would be paid directly to private electrical contractors, and b) $1,910 for the installation of new street lighting, which would be paid directly to the City, which in turn would reimburse Hetch Hetchy, through an additional amount assessed upon the property owners' tax bills.

3. Mr. Trimbur indicates that there will be no additional cost to the City if the proposed ordinance (File 52-96-2) is adopted. (However, see Comment No. 7 below).

4. The Public Works Code requires that the DPW hold a public hearing regarding the proposed Underground District (File 52-96-2). The DPW reports that a public hearing was held for Alpine Terrace on February 19, 1993, and a subsequent hearing was held on September 13, 1995 for the remaining blocks. The DPW reports that no protests were given at either hearing and no protests were received in writing. Mr. Trimbur reports that there has been a three year delay since the first hearing because subsequent to this hearing, additional residents expressed an interest in the underground district and the related street lighting. Upon the completion of the Engineer's report regarding the installation of the street lighting, a separate public hearing would be held in order for members of the public to be given another opportunity to file any protests. A separate resolution would then be submitted to the Board of Supervisors to request authorization to proceed with the formation of an assessment district.

5. Mr. Trimbur estimates that the Engineer's report would be completed within five months. Mr. Trimbur reports that the undergrounding of utilities would take one year to complete, and therefore, the project would be completed by summer 1998, including the installation of the street lighting.

6. Mr. Trimbur reports that the Engineer's report would be completed by the DPW for an estimated $10,000 (which is included in the $233,000 total project cost estimate. The funds required for the Engineer's report would initially be advanced through Hetch Hetchy funds. The Engineer's report would estimate the City's costs for the installation of street lighting in the underground district, and develop a plan to proportionately assess these costs to property owner's based upon their lot size. Mr. Trimbur indicates that a lien would be placed upon the property owner's residences if they fail to pay back to the City their share of the estimated $233,000 for the total project cost.

7. If the Board of Supervisors approves the proposed ordinance (File 52-96-2) and the proposed resolution (File 52-96-2.1), and it was later determined by the Board of Supervisors, DPW and the Alpine Terrace residents, based upon the Engineer's report, that the cost to proceed with the installation of the new street lighting is prohibitively high, the Board of Supervisors, DPW and Alpine Terrace residents would need to reevaluate whether or not the project should proceed as planned. If the project did not proceed, then property owners would not be assessed for the Engineer's report, and the $10,000 advanced by Hetch Hetchy for the

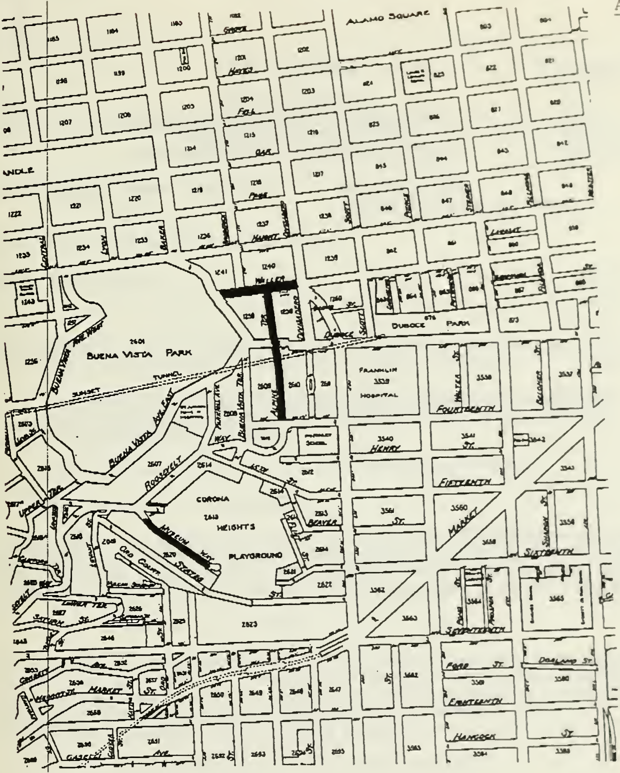
preparation of the Engineer's Report would be absorbed by Hetch Hetchy. Mr. Trimbur reports that while it is possible that the Engineer's report could result in the determination that the cost to proceed with the street lighting project is prohibitively high, historically no such finding has ever occurred in connection with such street lighting assessment projects.

Recommendation: Approve the proposed ordinance (File 52-96-2) and the proposed resolution (File 52-96-2.1).

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Sam Yockey
Paul Horcher
Ted Lakey

Attachment


ALAMO SQUARE
HAYES
FELL
OAK
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HAIGHT
WALLER
BUENA VISTA PARK
SUNSET TUNNEL
BUENA VISTA AVE WEST
BUENA VISTA AVE EAST
ALPINE
DUBOCE PARK
FRANKLIN HOSPITAL
FOURTEENTH
HENRY
FIFTEENTH
MARKET
SIXTEENTH
SEVENTEENTH
ROOSEVELT
CORONA HEIGHTS PLAYGROUND
MUSEUM WAY
STATES
UPPER TER
LOWER TER
SATURN ST
ORD COURT
BEAVER
FORD ST
DORLAND ST
EIGHTEENTH
HANCOCK
CASTRO
SCOTT
STEINER
WEBSTER
NOE

PROPOSED ALPINE TERRACE/MUSEUM WAY UNDERGROUND ASSESSMENT DISTIRCT

▬ Streets to be Undergrounded - Adjacent Properties to be Assessed

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Action Taken

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REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, APRIL 4, 1996 – 10:00 A.M.

Veterans Building
401 Van Ness Avenue, Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng

CLERK: Gail Johnson

1. File 19-96-3.2. [Parking Regulations] Resolution enacting and rescinding Parking regulations at Harrison Street. (Department of Parking and Traffic

   Two-Hour Parking Time Limit, 7 a.m. – 6 p.m., Except Sunday – Rescind.
   Parking Meter Area No. 3 (2-Hour Time Limit, 9 a.m. – 6 p.m., Monday Through Saturday) – Establish.

   Harrison Street, both sides, between Third and Fourth Streets.

   ACTION: Hearing held. Recommended.

2. File 40-96-9. [Residential Parking Area "U," South of Market] Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding Shipley Street, between Fifth and Sixth Streets, north side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

   ACTION: Hearing held. Recommended.

3. File 223-96-11. [Liquor License Transfer, 1416 Haight Street] Hearing to consider that the transfer of a Type 21 off-sale general alcohol beverage control license for Faouady Y. Kazzouh for New Lite Market, from 1806 Irving Street to 1416 Haight Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Faouady Y. Kazzouh.

   ACTION: Consideration continued to April 18, 1996, meeting.

4. File 191-96-1. [Street Lighting] Hearing to consider the feasibility of increasing street lighting in San Francisco including the placement, types, costs and financing of lights and environmental documentation. (Supervisors Bierman, Leal, Teng)
   (Consideration continued from 3/7/96)

   ACTION: Hearing held. Consideration continued to the Call of the Chair.

5. File 90-96-1. [Landmark, North End Police Station/Garage] Ordinance designating the North End Police Station and Garage as Landmark No. 218 pursuant to Article 10 of the City Planning Code. (Department of City Planning)
   (City Planning Resolution No. 14066, adopted 3/7/96.)
   (Landmarks Preservation Advisory Board Resolution No. 479, adopted 9/20/95.)

   ACTION: Hearing held. Recommended. (Supervisors Teng and Bierman added as co-sponsors.)

6. File 52-96-2. [Underground District No. 322, Alpine Terrace] Ordinance creating Underground District No. 322 in the Alpine Terrace/Museum Way District; companion measure to File 52-96-2.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

7. File 52-96-2.1. [Lighting Assessment District, Alpine Terrace] Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4 of Chapter 1 of the Landscaping Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in Alpine Terrace/Museum Way District; designating the City Engineer as the Engineer for the formation proceedings; companion measure to File 52-96-2. (Department of Public Works)

   ACTION: Hearing held. Recommended.

8. File 111-96-1. [Interim Controls, 24th Street] Resolution imposing Interim Zoning Controls to temporarily prohibit specialty grocery and retail coffee stores, subject to specified exceptions, in the 24th Street-Noe Valley Neighborhood Commercial District, as defined in City Planning Code Section 728.1, for an eighteen (18) month period. (Supervisor Bierman)
   (Exempt Status, General Rule Exclusion)

   ACTION: Hearing held. Recommended. (Supervisor Teng added as co-sponsor.)

9. File 111-96-1.1. [Interim Controls, 24th Street, Permits] Resolution enacting order directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection and other permit issuing agencies to suspend action on any application for permits or licenses for specialty grocery and retail coffee stores, subject to specified exceptions, in the 24th Street-Noe Valley Neighborhood Commercial District, as defined in City Planning Code Section 728.1. (Supervisor Bierman)

   ACTION: Hearing held. Recommended. (Supervisor Teng added as co-sponsor.)

10. File 115-96-2. [Adult Entertainment Ban, Van Ness SUD] Ordinance amending Planning Code by amending Section 243, Van Ness Special Use District, to prohibit adult entertainment enterprises as described in Section 221(k), pursuant to City Planning Code Section 101. (Department of City Planning)
    (Exempt Status, General Rule Exclusion)
    (City Planning Resolution No. 14037, adopted 1/11/96)

    ACTION: Hearing held. Recommended. (Supervisor Teng added as sponsor.)

11. File 115-96-1. [Negative Declaration, Ferris Wheel at Pier 39] Resolution adopting Final Negative Declaration, finding and determining that amending Section 260 of the Planning Code to provide a height exception for permanent open-air amusement structures in large amusement complexes located in C-2 Districts will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 115-95-1.1. (Department of City Planning)
    (Final Negative Declaration adopted 12/14/95)
    (City Planning Motion No. 14031 adopted 12/14/95)

    ACTION: Hearing held. Tabled.

12. File 115-96-1.1. [Amend Planning Code to Allow Ferris Wheel, Pier 39] Ordinance amending Article 2.5 of the San Francisco Planning Code by amending Section 260 to allow amusement parks and other commercial enterprises in C-2 Districts with conditional use authorization pursuant to Section 303 to a maximum height of 65 feet with an area not exceeding 1,000 square feet above the height limit measured parallel to the ground; companion measure to File 115-96-1. (Department of City Planning)
    (City Planning Resolution No. 14032, adopted 12/14/95)
    (City Planning Motion No. 14033, adopted 12/14/95)

    ACTION: Hearing held. Tabled.

BOARD of SUPERVISORS

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San Francisco 94102-4532
554-5184

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NOTICE OF RESCHEDULED MEETING

HOUSING AND LAND USE COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Housing and Land Use Committee for Thursday, April 18, 1996, at 10:00 a.m., has been rescheduled to Thursday, April 18, 1996, at 11:15 a.m., in Room 410, Veterans Building, 401 Van Ness Avenue, San Francisco, California.

Jean Lum
JEAN C. LUM
Acting Clerk of the Board

POSTED: APRIL 11, 1996

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

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CALENDAR

RESCHEDULED MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, APRIL 18, 1996 – 11:15 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 19-96-6. [Parking Regulations, Various Locations] Hearing to consider establishment and revocation of parking regulations, various locations. (DPT Order No. 1025) (Department of Parking and Traffic)

No Parking Anytime – Establish

Moscow Street, east side, from Excelsior Avenue to 36 feet southerly (36-foot zone).

Two-Hour Parking Time Limit, 7 a.m. – 6 p.m., Except Sunday – Rescind

Evans Avenue, both sides, between Lane and Mendell Streets;

Evans Avenue, south side, between Keith and Lane Streets.

Parking Meter Area No. 3 (One-Hour Time Limit, 9 a.m. – 6 p.m., Monday Through Saturday) – Establish

Thirtieth Street, north side, from Church Street to 80 feet westerly (80-foot zone accommodating four parking stalls);

Day Street, north side, from Church Street to 36 feet easterly (36-foot zone accommodating two parking stalls).

Parking Meter Area No. 3 (Two-Hour Time Limit, 9 a.m. – 6 p.m., Monday Through Saturday) – Establish

Thirteenth Street, south side, from South Van Ness Avenue to 310 feet easterly (310-foot zone along raised traffic island);

Thirteenth Street (South Service Road), south side, from South Van Ness Avenue to 365 feet easterly (365-foot zone).

(b) File 20-96-5. [Traffic Regulations, Various Locations] Hearing to consider establishment of traffic regulations, various locations. (DPT Order No. 1025) (Department of Parking and Traffic)

One-Way Street - Establish

Florida Street, northbound, from Fifteenth Street to 210 feet southerly (210-foot zone).

Tow-Away, No Stopping Anytime - Establish

Portola Drive, north side, from Burnett Avenue to 290 feet easterly (290-foot zone replacing existing red zone).

Street Closed to Vehicular Traffic, Except Muni and Bicycles - Establish

Duboce Avenue, from Church Street to 280 feet easterly (280-foot zone).

No Right Turn, Except Muni - Establish

Church Street, northbound, at Duboce Avenue.

ACTION: Item (b) removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 19-96-6. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled "[Parking Regulations] Enacting and rescinding parking regulations at various locations." Recommended.

b. File 20-96-5. Hearing held. Question divided. Department of Parking and Traffic Order relating to traffic regulation on Florida Street amended by replacing "Florida Street, northbound" with "Florida Street, east roadway, northbound." Remainder of Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting traffic regulations on various streets." Recommended.

REGULAR CALENDAR

2. File 124-96-4. [Special Truck Loading Zones and Yellow Zones] Ordinance amending Traffic Code by amending Sections 33.3, 38.B, and 38.B.1, regarding the designation of special truck loading zones and yellow zones. (Department of Parking and Traffic)

ACTION: Hearing held. Recommended.

3. File 223-96-11. [Liquor License Transfer, 1416 Haight Street] Hearing to consider that the transfer of a Type 21 off-sale general alcohol beverage control license for Fouady Y. Kazzouh for New Lite Market, from 1806 Irving Street to 1416 Haight Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Faouady Y. Kazzouh.
(Consideration continued from 4/4/96)

ACTION: Hearing held. Resolution prepared in and reported out of Committee denying request entitled: "Opposing the request for transfer of a Type 21 off-sale general alcohol beverage control license for Fouady Y. Kazzouh for New Lite Market, from 1806 Irving Street to 1416 Haight Street, and determining that it will not serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

4. File 223-96-12. [Liquor License Transfer to 2702 - 24th Street] Hearing to consider that the transfer of an off-sale general alcohol beverage control License #21-128874 to Nho Thi Nguyen for a store located at 2702 - 24th Street, from Walgreens Store located at 1979 Mission Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Nho Thi Nguyen.

ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the transfer of Type 21 off-sale general alcohol beverage control License No. 21-128874 to Nho Thi Nguyen for a store located at 2702 - 24th Street, from Walgreens Store located at 1979 Mission Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with condition." Recommended.

5. File 223-96-13. [Liquor License Transfer, 3165 Steiner Street] Hearing to consider that the transfer of a Type 21 off-sale general alcohol beverage control license for Basher A. El-Yousef for Hollow Cow Market and Delicatessen, from 2100 Chestnut Street to 3165 Steiner Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Basher A. El-Yousef.

ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the transfer of a Type 21 off-sale general alcohol beverage control license for Basher A. El-Yousef for Hollow Cow Market and Delicatessen, from 2100 Chestnut Street to 3165 Steiner Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with condition." Recommended.

6. File 223-96-14. [Liquor License Transfer, 2298 Mission Street] Hearing to consider that the transfer of a Type 21 off-sale general alcohol beverage control license for Raymond Tsang for City Discount Meat & Grocery Store, from 2780 - 21st Street to 2298 Mission Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Raymond Tsang.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee denying request entitled: "Opposing the request for the transfer of a Type 21 off-sale general alcohol beverage control license for Raymond Tsang for City Discount Meat & Grocery Store, from 2780 - 21st Street to 2298 Mission Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

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CALENDAR

HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THUSRDAY, MAY 2, 1996, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng

CLERK: Gail Johnson

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Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:
For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

1. File 223-96-15. [Liquor License, 1765 California Street] Hearing to consider that the issuance of a Type 20 off-sale beer and wine license for Whole Foods Market, located at 1765 California Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Otto Leuschel, Assistant Store Manager.

   ACTION:

2. File 223-96-16. [Liquor License Transfer, 4 Valencia Street] Hearing to consider that the transfer of a Type 48 on-sale general premise liquor license for Martuni's Inc., located at 4 Valencia Street, from a store located at 580 Pacific Avenue, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Walter Ziobron and Yvonne Hawkins.

   ACTION:

3. File 151-96-1. [Northeastern Waterfront Survey Area] Resolution amending Resolutions 141-77, 607-91 and 125-95 designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area (to potentially provide land for the proposed Giants' Downtown Ballpark). (Supervisor Shelley)

   ACTION:

4. File 97-95-56. [Historic Property Restoration] Ordinance amending Administrative Code by adding Sections 71.1 through 71.6 to implement California Mills Act, California Government Code Sections 50280 et seq., allowing owners of qualified historic properties to contract with the City to rehabilitate, restore and preserve properties and to procure property tax reductions pursuant to individual Mills Act contracts and authorizing fee to pay for costs of entering Mills Act Contract and administering program. (Supervisors Bierman, Alioto)

   ACTION:

5. File 115-95-3.1. [Review of Murals on Landmark Structures] Ordinance amending City Planning Code Sections 1005, 1006, 1006.6 and 1006.7 to require review of murals on landmarks or in a historic district. (Supervisor Bierman)

   ACTION:

6. File 42-96-2. [Temporary Closure of Wayne Place] Resolution urging the Department of Parking and Traffic and Department of Public Works to support the temporary closure and improvements of Wayne Place for children's recreational activities operated by the Wu Yee Children's Services. (Supervisors Teng, Bierman, Ammiano)

   ACTION:

7. File 10-96-2. [Encroachment Permit, 62-64 Bonview Street] Resolution granting revocable permission to James P. Zerga to construct one (1) concrete retaining wall and landscaping in conjunction with grading and constructing a private driveway for access to 62-64 Bonview Street (Block 5613, Lots 20 and 21) and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

8. File 10-96-3. [Encroachment Permit, Golden Gate Ave./Larkin Street] Resolution granting revocable permission to the Clark Construction Group, Inc. to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue, between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street, between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 and 3). (Department of Public Works)

   ACTION:

9. File 24-96-3. [Appeal, Sidewalk Encroachment, 1350 Florida Street] Communication received from Mr. Alfa Zadkiel, appealing denial by the Section Manager, Street Use Permits Section, Department of Public Works, in its letter dated March 25, 1996 which denied the issuance of a Minor Sidewalk Encroachment Permit to install: (1) Two pipe barriers, 6 feet apart, 4 feet high, 3-1/2 feet from property line; fence it and plant shrubs, flowers, etc.; (2) Place one pipe barrier on the middle of the driveway removable with a lock, a foot or parallel from the curb, to prevent motorists from driving on the sidewalk at 1350 Florida Street.

   ACTION:

10. File 34-96-1. [Sidewalk Width Regulations, Indiana Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1521 changing official sidewalk width on the east side of Indiana Street between 23rd Street and Tubbs Street, as shown on the Department of Public Works drawing labeled Q-20-435 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

    ACTION:

11. File 36-96-3. [Zoning Map Amendment, 1118 Capitol Avenue] Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property generally described as 1118 Capitol Avenue, Assessor's Block 6937, Lot 26, from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)
    (City Planning Resolution No. 14083, adopted 3/21/96.)
    (Exempt from environmental review per Certificate of Determination issued January 19, 1996.)

    ACTION:

12. File 90-96-2. [Landmark Designation, Milo Hoadley Residence] Ordinance designating the Milo Hoadley Residence as Landmark No. 216 pursuant to Article 10 of the City Planning Code. (Department of City Planning)
    (City Planning Resolution No. 14079, adopted 3/14/96.)
    (Landmarks Preservation Advisory Board Resolution No. 481, adopted 11/15/95.)

    ACTION:

13. File 111-95-1.1. [Interim Zoning Controls, Union Square Signs] Resolution extending for an additional twelve months Interim Zoning Controls prohibiting the approval of general advertising signs within 200 feet of the park known as Union Square and facing said park but allowing replacement signs and deleting the special exceptions from the roof sign and height limitations for general advertising signs within 200 feet of Union Square. (Supervisors Bierman, Alioto)

    ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

IMPORTANT
HEARING NOTICE

Bill Lynch
Documents Section
Public Library-Main Branch
Civic Center
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Public Library, Documents Dept.
Attn: Kate Wingerson

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

April 30, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting [illegible]

SUBJECT: May 2, 1996 Housing and Land Use Committee Meeting

Item 3 - File 151-96-1

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution amending Resolutions 141-77, 607-91 and 125-95 designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area.

Description: The proposed resolution would add nine parcels (Lots 3, 3B, 3C, 12, 13, 16, 17, 19 and 20 of Assessor's Block 3794) of real property to a Redevelopment Survey Area known as the Northeastern Waterfront Survey Area. The nine parcels, which comprise one full City block, are bounded to the north by the northerly line of King Street, to the west by the westerly line of Third Street and to the south and east by the existing boundary of the Northeastern Waterfront Survey Area (see attached map). A survey area is land designated for analysis which will determine its redevelopment feasibility, and designation as a survey area is a necessary first step in including real property in a redevelopment project area.

The Board of Supervisors originally approved designation of the Northeastern Waterfront area as a Redevelopment Survey Area in 1977 (Resolution 141-77), and, following the Survey, approved a Redevelopment Plan within the Survey Area for the Rincon Point-South Beach Redevelopment Project Area in 1981 (Ordinance No. 14-81). If the addition of the proposed parcels to the Survey Area is approved, the Redevelopment Agency would (1) study the area to determine if it meets the criteria for use of redevelopment authority, (2) develop a plan, (3) conduct appropriate environmental analysis of the parcels and (4) consider an amendment to the Rincon Point-South Beach Redevelopment Plan to include the parcels.

According to Mr. Tom Conrad of the Redevelopment Agency, the reason for adding the parcels to the Survey Area is to facilitate the development of the proposed new ballpark at China Basin and complementary uses in the Rincon Point-South Beach Redevelopment Project Area. The proposed addition of nine parcels to the Northeastern Waterfront Survey Area is in conformance with the ballot measure approved by San Francisco voters on March 26, 1996, which amended the Planning Code to permit development of a ballpark and complementary uses in the China Basin area. Amendment of the Northeastern Waterfront Survey Area to include said portion of Assessor's Block 3794 permits the Redevelopment Agency to study the need for and feasibility of redevelopment involvement in the proposed ballpark development. According to Mr. Conrad, while a portion of the ballpark site (currently owned by the Port of San Francisco) is already included in the existing Northeastern Waterfront Survey Area, the subject parcels are also needed for ballpark development.

The parcels to be added to the Northeastern Waterfront Survey Area consist of approximately 155,000 square feet of land and one-block portions of two City streets (King and Third Streets). While the streets are under the jurisdiction of the City, the parcels are owned by the California Department of Transportation (Caltrans). Additionally, there are several occupied warehouses located on the parcels (see Comment No. 3). According to Mr. David Madway, General Counsel for the Redevelopment Agency, the City has the authority to designate the parcels owned by Caltrans as part of a Redevelopment Survey Area.

Mr. Madway advises that, prior to adoption of an ordinance by the Board of Supervisors to include the ballpark site in the

Rincon Point-South Beach Redevelopment Project Area, the Redevelopment Agency will complete an Environmental Impact Report (EIR). Once completed, the EIR, along with an amendment to the existing Rincon Point-South Beach Redevelopment Plan to include the subject parcels as well as the adjacent Port-owned site, would then be submitted for approval by the Redevelopment Commission and the Board of Supervisors.

Comment:

1. Mr. Conrad estimates that the one-time cost to the Redevelopment Agency of completing an EIR and of amending the Redevelopment Plan would be approximately $500,000. According to Mr. Conrad, this expense will be paid for by the Giants.

2. According to Mr. Madway, one reason for adding the ballpark site to the Rincon Point-South Beach Redevelopment Plan is that, under Community Redevelopment Law, the Redevelopment Agency would then have oversight over the private development of public land and could use its statutory authority to assure that the development takes place in accordance with all provisions agreed to by the developer.

Additionally, Mr. Madway advises that the ballpark site must be part of a redevelopment project area in order to utilize tax increment financing. As reported in the Budget Analyst's March, 1996 report regarding the projected costs and economic benefits of the proposed new ballpark at China Basin, the San Francisco Giants intend to request that the Redevelopment Agency utilize tax increment financing to issue approximately $10 million in bonds, the proceeds of which would be used as part of the $255 million ballpark project financing. As previously noted, designation of the subject parcels as part of the Northeastern Waterfront Survey Area is a prerequisite to including the entire ballpark site in a redevelopment project.

The debt service under tax increment financing would be supported by new possessory interest tax revenues that would be created as a result of the ballpark project. Possessory interest taxes are payable by private businesses leasing public property for profit-making enterprises; such taxes are payable in lieu of property taxes which would normally be paid if the property were privately owned. The Budget Analyst previously reported that the proposed ballpark project would generate an estimated $3.5 million annually in increased possessory interest tax revenue, which would be more than sufficient to cover the Redevelopment

Agency's annual debt service payments and other expenses of approximately $1.1 million per year.

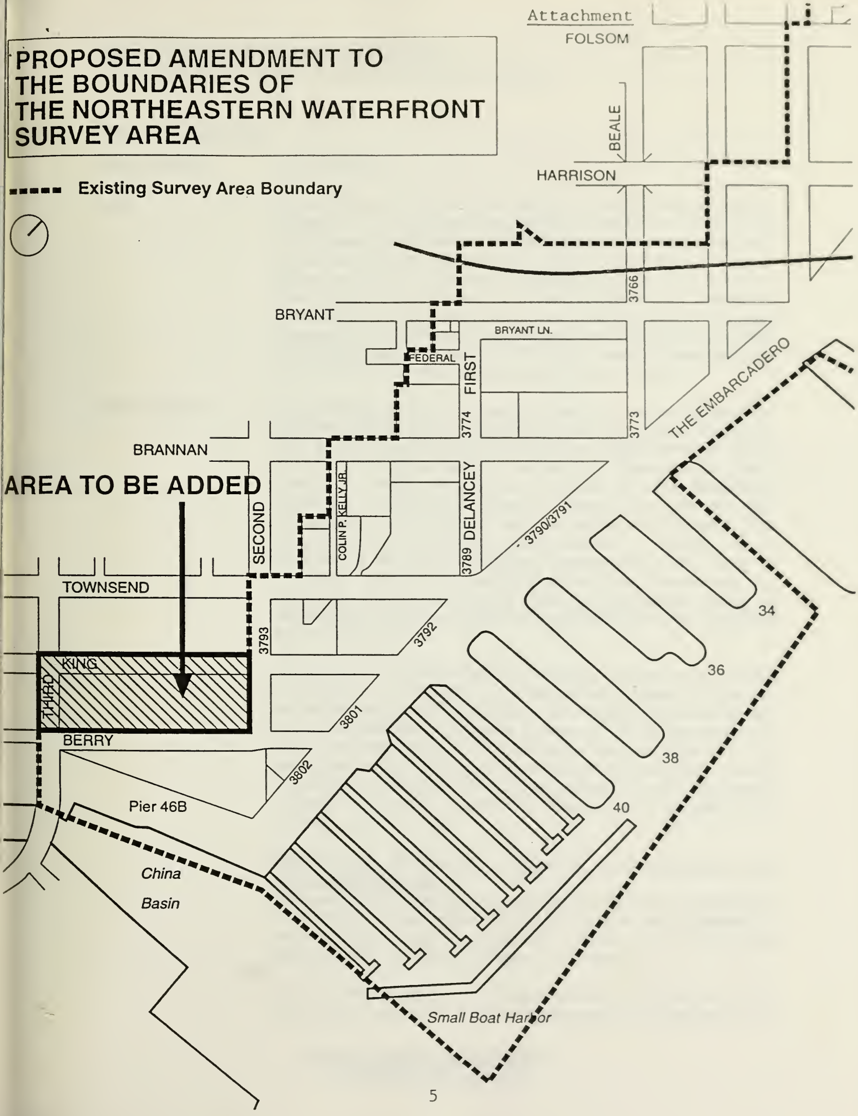
3. According to Mr. Madway, following the approval of an EIR and an amended Redevelopment Plan by the Redevelopment Commission and the Board of Supervisors, the Redevelopment Agency would negotiate with Caltrans to acquire the subject parcels for ballpark construction. Mr. Madway advises that the cost of relocating Caltrans tenants, demolishing the warehouses located on the parcels and of performing any necessary toxic remediation would be offset against the fair market value of the parcels. According to Mr. Madway, estimates of either the fair market value of the parcels or the amount of the foregoing expenditures are not yet available. Mr. Madway further advises that the Giants would be responsible for paying all of the upfront expenditures necessary to prepare the subject parcels and the adjacent Port-owned site for the construction of the proposed new ballpark.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Attachment

PROPOSED AMENDMENT TO THE BOUNDARIES OF THE NORTHEASTERN WATERFRONT SURVEY AREA

▪▪▪▪ Existing Survey Area Boundary


FOLSOM
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AREA TO BE ADDED
SECOND
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Item 4 - File 97-95-56

Department: City Planning

Item: Amending the San Francisco Administrative Code by adding Chapter 71 to implement California Mills Act, California Government Code Sections 50280 Et Seq. Allowing owners of qualified historic properties, who rehabilitate, restore, preserve, and maintain such properties, to procure Property Tax reductions pursuant to individual Mills Act Contracts with the City and authorizing a fee to be charged to property owners by the Planning Department on behalf of all involved City departments to pay for the City's costs of entering into the Mills Act Contract and Administering Program.

Description: The purpose of the proposed ordinance is to implement the California Mills Act in the City and County of San Francisco. The Mills Act, enacted by the State Legislature in 1975, enables local governments to enter into Historical Property Contracts with owners of qualified private historical property. A Historical Property Contract is a contract that authorizes the City to provide certain Property Tax reductions in accordance with Chapter 3, Article 1.9, of Division 1 of the California Revenue and Tax Code to property owners of qualified historical properties, in exchange for an agreement from the property owner to rehabilitate, restore, preserve, and maintain the qualified historical property.

A qualified private historical property consists of privately owned property which is not exempt from property taxation and which is one of the following: (a) individually listed in the National Register of Historic Places; or (b) designated as a City landmark pursuant to Planning Code Article 10. Mr. Mark Paez of the Planning Department advises that owners of property meeting the above criteria do not currently receive any local Property Tax incentives for meeting this criteria.

Historical Property Contract Application and Approval Process

There would be four steps to process and approve a Historical Property Contract, following the submission and approval of an application by the property owner to the Planning Department. These four steps are as follows:

(1) Following approval by the Planning Department of the Historical Property Contract application, the application is

referred to the Assessor's Office. The Assessor's Office reviews the application, and provides an estimate of (a) the amount of Property Tax which would be collected for the subject property without a Historical Property Contract, and (b) the Property Tax that would be collected for the subject property if the City entered into the Historical Property Contract with the property owner. These Property Tax estimates are provided to the Board of Supervisors for review.

(2) The Planning Department's Landmarks Preservation Advisory Board holds a public hearing to review the Historical Property Contract application. The recommendations of the Landmarks Preservation Advisory Board, concerning the proposed rehabilitation, restoration, or preservation work, as well as a determination of the historical value of the qualified historical property, are provided to the Planning Commission for review.

(3) Upon receipt of the Landmarks Preservation Advisory Board's recommendations, the Planning Commission holds a public hearing to review the application. If approved, the Planning Commission refers the application to the Board of Supervisors for its review and approval. If the application is not approved, the property owner may file an appeal with the Board of Supervisors within 10 days of the Planning Commission's rejection of the application.

(4) Finally, the Board of Supervisors holds a public hearing to review the recommendation of the Planning Commission, and the Property Tax information provided by the Assessor. The Board of Supervisors may approve, disapprove, or modify and approve the terms of the Historical Property Contract. If the application is approved, the Board of Supervisors will authorize the Director of Planning and the Assessor to execute the Historical Property Contract.

Processing and Inspection Fees

The proposed ordinance provides that an applicant for a Historical Property Contract is responsible for paying a fee to the City to cover the entire cost of processing and administering the Historical Property Contract application. The proposed ordinance also includes a provision for collecting additional fees from the applicant, or returning excess fees to the applicant, in the event the original fee estimate provided by the Planning Department is too low or too high.

The fee amount would be based on the total cost estimates provided by the Planning Department, the City Attorney, the Assessor and the Board of Supervisors. In addition, the Department of Building Inspection may also impose a separate fee, following approval of the Historical Property Contract, to pay for the actual costs of inspecting and enforcing the Historical Property Contract. Estimates of potential fee amounts per application, provided by the Departments, are as follows:

	Estimated Fee per Application	
Department	**Residential**	**Commercial**
Assessor	$200	$1,000 - $2,000
Board of Supervisors*	40	40
City Attorney**	500	810 - 1,350
Planning Department***	322	322 plus $80.50 per additional hour and cost of materials
Dept. of Building Inspection****	N/A	N/A
Total Estimated Fees per Historical Property Contract	**$1,062**	**$2,172 - $3,712**

* The Office of the Clerk of the Board of Supervisors advises that the fee estimate of $40 does not include the cost of advertising for the public hearing, or postage, but that these costs would be absorbed in the existing budget. The estimated fee is based on the cost for staff time.

** The City Attorney's fee estimate of $810 to $1,350 is based on an estimate of requiring six to ten hours @ $135 per hour to review the Historical Property Contract for both commercial properties, and larger or more complicated residential properties.

*** The Planning Department assumes that the average fee charged will be based on four hours of work @ $80.50 per hour. The Department does not have a specific estimate for the cost of processing Historical Property contracts for commercial properties, which are assumed to be more labor intensive, or for large residential properties.

****Mr Jim Hutchinson of the Department of Building Inspection advises that the fee charged by the DBI to inspect or enforce a Historical Property Contract would vary depending on the type and level of rehabilitation or restoration work being conducted. According to Mr. Hutchinson, if the DBI's building inspection was related to a building permit issued to the property owner, then the cost of the inspection would already be included in the cost of the building permit. However, if the building inspection was not related to a specific building permit, then the DBI's building inspection fees would be based on an hourly fee of $148.50.

Potential Impact on General Fund

The method used to calculate the Property Taxes for Historical Property Contracts is based on a complicated formula detailed in the Mills Act legislation. However, Mr. Michael Tuddery of the City of San Diego's Historical Site Board and Mr. Charles Jany of the City of Redwood City advise that the experience in San Diego and Redwood City has been that the Historical Property Contract results in a tax savings to the property owner of between 40 percent and 60 percent. The cities of San Diego and Redwood City were selected for this analysis because the City of San Diego has a large number of historic properties similar to San Francisco, and Redwood City is an example of a city in the Bay Area that has implemented the Mills Act. Owners of a single family residence valued at $300,000 would normally pay $3,408 in taxes annually, based on a tax rate of $1.163, and a $7,000 homeowner's exemption. However, with a 40 percent reduction, a property owner would pay $2,045 in Property Taxes, and with a 60 percent reduction in his or her Property Taxes the property owner would pay $1,363.

Mr. Vern Walton of the Assessor's Office notes, however, that the amount of tax savings incurred by a property owner from entering into a Historical Property Contract does not result in an equal loss to the City's General Fund in Property Tax dollars since a portion of the Property Taxes are also allocated to the San Francisco Unified School District (SFUSD), the Community College District, BART, and the Bay Area Air Quality Management District.

Eligible Properties in San Francisco to enter into Historical Property Contracts

Mr. Vincent Marsh of the Landmarks Preservation Advisory Board advises that there are 215 registered City landmarks in San Francisco, of which 175 would be eligible to enter into a Historical Property Contract. In addition, Mr. Marsh advises, that there are 100 properties in San Francisco listed in the National Register of Historic Places, for a total of 275 properties in San Francisco eligible to enter into Historical Property Contracts.

Comments:

1. Mr. Jeff Eichenfield of the California Preservation Foundation advises that there are currently 14 counties in California that have implemented the Mills Act. Of these 14 counties, Mr. Eichenfield advises that there are

approximately 152 Historical Property Contracts. The counties, and the number of contracts per county are as follows: Alameda (1), Contra Costa (4), Los Angeles (38), Marin (1), Orange (0), Riverside (1), Sacramento (1), San Bernardino (23), San Diego (65), San Mateo (6), Santa Clara (6), Solano (3), Tuolumne (2), and Ventura (1). Attachment I, provided by Mr. Eichenfield, details the total number of Historical Property Contracts which have been approved within each city of each county that has enacted the Mills Act.

2. The term of the proposed Historical Property Contract would be for a minimum of ten years, with an automatic one-year extension. The Board of Supervisors may cancel the Contract, or seek enforcement of the Contract, when the Board of Supervisors determines, based upon the recommendation of either the Landmarks Preservation Board, the Assessor, the Department of Building Inspection, the State Office of Historic Preservation of the California Department of Parks and Recreation, or the State Board of Equalization that the owner has breached the terms of the contract. The proposed ordinance provides, (as authorized in the Mills Act legislation) that upon cancellation of the Contract, the property owner shall pay a cancellation fee of 12.5 percent of the full value of the property at the time of cancellation, as determined by the Assessor.

3. According to Ms. Kate Herrmann Stacy of the City Attorney's Office, if the property is sold, the new owner would assume the conditions of the Historical Property Contract.

4. Attachment II, provided by Mr. Walton, is an estimate of the total reduced annual Property Tax revenues to the City's General Fund, and the other taxing agencies due to approval of the proposed ordinance. Mr. Walton's estimate is based on the approval of 25 Historical Property Contracts by the Board of Supervisors over a three year period. The estimated reduction in Property Tax revenues could increase beyond the current projections if additional property owners submit Historical Property Contract applications.

Based on the approval of 25 Contracts, out of the total of 275 currently eligible properties in the City, Mr. Walton estimates that the City's Property Tax revenues would be reduced by a total estimated amount of $621,151 annually. The reduction of $621,151 in total Property Tax Revenues corresponds to a reduction of approximately (a) $310,576 annually for the General Fund, (50 percent of $621,151) (b)

$111,807 annually for the Community College District, BART, and the Bay Area Air Quality District (18 percent of $621,151), and (c) $198,768 for the San Francisco Unified School District (32 percent of $621,151). Of the estimated reduction of $198,768 annually for the SFUSD, Mr. Peter Tom of the SFUSD advises that the total reduced Property Tax revenues to the SFUSD would be offset by increased funding from the State.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Attachment I
1 of 2

MILLS ACT PROGRAMS

Counties/Communities	No. of Contracts
ALAMEDA:	
Berkeley (City)	1
Contra Costa:	
Danville (City)	4
Orinda (City)	
Los Angeles:	
Glendale (City)	0
Glendora (City)	0
La Verne (City)	4
Long Beach (City)	4
Los Angeles (City)	
Monrovia (City)	
Redondo Beach (City)	19
Sierra Madre (City)	3
West Hollywood (City)	7
Whittier (City)	1
Marin:	
Belvedere (City)	1
Larkspur (City)	
Orange:	
Brea (City)	
Orange (City)	
Riverside:	
Corona (City)	1
Palm Springs (City)	
Sacramento:	
Sacramento (City)	1
San Bernardino:	
Colton (City)	12
Rancho Cucamonga (City)	10
San Bernardino (City)	1
San Diego:	
Escondido (City)	17
La Mesa (City)	7
San Diego (City)	~~1~~ 41

Attachment I
2 of 2

San Mateo:	
Redwood City (City)	5
San Mateo (City)	1
Santa Clara:	
Los Altos (City)	1
Morgan Hill (City)	1
Palo Alto (City)	1
San Jose (City)	0
Sunnyvale (City)	3
Solano:	
Benicia (City)	2
Vallejo (City)	1
Tuolumne:	
Soulsbyville (Uninc)	1
Tuttletown (Uninc)	1
Ventura:	
Ojai (Uninc)	1

Attachment II

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE ASSESSOR

Estimate of Annual Revenue Loss to General Fund from Enactment of Historical Property Assessment Program

Primary Assumptions

1 25 approved contracts reflecting San Diego Experience
2 15 residential property; 10 commercial
3 Average Property Value: $500,000 Residential
$10,000,000 Commercial

4 Residential Property Homeowner Exemption
5 50% Loss of Assessed Value when subject to Historical Property Assessment Provisions
6 1.16% property tax rate; 50% General Fund share of proerty tax dollar

Property Type	Average Assessed Value		Number of Properties		Total Assessed Value	Assessed Value Loss from Historical Assessment Ref. (5)	Property Tax Rate	Public Revenue Loss	General Fund Portion Ref.(6)
Residential	$473,000	X	15	=	$7,095,000	$3,547,500	0.0116	$41,151	$20,576
Commercial	$10,000,000	X	10	=	$100,000,000	$50,000,000	0.0116	$580,000	$290,000

Annual General Fund Revenue Shortfall from Historical Property Assessment Program → $310,576 *

NOTE: Assessor Estimates Approved Applications will be Processed during the initial three year period following adoption of an Ordinance implementing the Program. Projected Loss of Revenue is Maximum Anticipated and Losses in the first two years will be Less than Amount shown above.

*Total Property Tax reduction is $621,151, which includes $310,576 to the General Fund.

Item 7 - File 10-96-2

Department:	Department of Public Works (DPW)
Item:	Resolution granting revocable permission to James P. Zerga to construct a concrete retaining wall and landscaping in conjunction with grading and constructing a private driveway for access to his residence located at 62-64 Bonview Street, and adopting findings pursuant to the City Planning Code Section 101.1.
Description:	Mr. Nick Elsner of the Department of Public Works advises that the residence of Mr. James P. Zerga, located at 62-64 Bonview Street, is a newly constructed residence without a private driveway to the residence. However, Mr. Elsner advises, in order to construct a driveway that would be accessible from Bonview Street, Mr. Zerga must remove a portion of hillside on Bonview Street, south of Coso Avenue, which is located in the City's official street right-of-way. Therefore, Mr. Elsner advises, the proposed resolution would grant revocable permission to Mr. Zerga to encroach on City property for the construction, landscaping and maintenance of a retaining wall which would be located in the area of the removed hillside. The Board of Supervisors may revoke the proposed permission at will. In addition, the permission would automatically be terminated if Mr. Zerga failed to continue insurance protection for the encroachment. The permission would not become effective until Mr. Zerga has executed a street encroachment agreement and until the Controller has reviewed Mr. Zerga's proof of insurance.
Comments:	1. The City Planning Commission has declared that the project intended by the encroachment is consistent with the eight priority policies of City Planning Code Section 101.1. 2. The DPW reports that the Department held a public hearing on January 31, 1996 on the proposed encroachment and no objections were made to the project. 3. DPW advises that Mr. Zerga has paid the required permit processing fee of $800 to the City. Once the construction costs have been calculated for the proposed project, Mr. Zerga will also be required to pay an inspection fee equal to 7.5 percent of the construction cost.
Recommendation:	Approve the proposed resolution.

Item 8 - File 10-96-3

Department:	Department of Public Works (DPW)
Item:	Resolution granting revocable permission to the Clark Construction Group, Inc. to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue, between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street (Block 765, Lots 2 & 3).
Description:	The proposed resolution would grant revocable permission to Clark Construction Group, Inc. to temporarily close and occupy the southerly sidewalk and a portion of the street area on Golden Gate Avenue, between Polk and Larkin Streets, and the westerly sidewalk and a portion of the street area on Larkin Street between McAllister Street and Golden Gate Avenue during construction operations for the State Office Building Project at 455 Golden Gate Avenue and 350 McAllister Street. The permission would be granted for one year from the date of approval of the proposed resolution by the Board of Supervisors.

Mr. Nick Elsner of DPW advises that the Clark Construction Group, Inc. anticipates requiring permission to temporarily close and occupy the subject street and sidewalk areas through December 15, 1998, for a total period of approximately two years and seven months. However, Mr. Elsner advises that because the Clark Construction Group, Inc. would be eliminating pedestrian access on the subject sidewalk areas, which requires an Additional Street Space Permit from the DPW, Section 724.7 of the Department of Public Works Code requires that the revocable permission must be renewed after each twelve month period. Mr. Elsner advises that renewal of the revocable permission would be subject to approval by the Board of Supervisors.

The Board of Supervisors would be authorized to revoke at will the permission to be granted to Clark Construction, Inc. In addition, permission would automatically be terminated if Clark Construction, Inc. failed to continue insurance protection to temporarily close and occupy the subject street and sidewalk areas. The permission would not become effective until Clark Construction, Inc. has provided evidence of insurance coverage required by DPW.

Comment: Clark Construction, Inc. is required to pay a non-refundable fee of $148,500 for the first year of the revocable permission, and a $500 processing fee. Mr. Elsner advises that he anticipates the non-refundable fee would be $148,500 for the second year of occupancy, and approximately $86,625 for the remaining seven month period, for a total amount of $383,625. Mr. Elsner advises that Clark Construction, Inc. has paid the $500 processing fee, but has not yet paid the fee of $148,500. Mr. Elsner advises that Clark Construction, Inc. will pay the $148,500 fee following approval of the proposed resolution.

Recommendation: Approve the proposed resolution.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Margaret Kisliuk
Paul Horcher
Ted Lakey

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5/16/96

Public Library, Documents Dept.

[redacted]

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

May 14, 1996

DOCUMENTS DEPT.
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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of...

SUBJECT: May 16, 1996 Housing and Land Use Committee Meeting

Item 5 - File 247-96-1

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution designating and describing a Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law.

Description: The proposed resolution would designate a survey area in order to study the feasibility of a redevelopment effort in the area bounded roughly by Market, McAllister, Hyde, O'Farrell and Cyril Magnin Streets (see Attached map), to be known as the North of Market Survey Area. A survey area is land designated for analysis which will determine its redevelopment status. Designation of a site as a survey area is a required first step in evaluating the redevelopment potential of an area.

The proposed survey of the North of Market area would produce a preliminary Redevelopment Plan that would incorporate the City's vision for the area, the zoning and use of the land, and the economic development necessary for a redevelopment plan to be realized. Once the preliminary Redevelopment Plan is completed, it must be submitted to the City Planning Commission for a determination as to whether the preliminary Redevelopment Plan conforms to the City's Master Plan. In addition, an Environmental Impact Report (EIR) must be developed for the project. Both the preliminary Redevelopment Plan and the EIR would then be submitted to the Board of Supervisors for approval.

Comment:

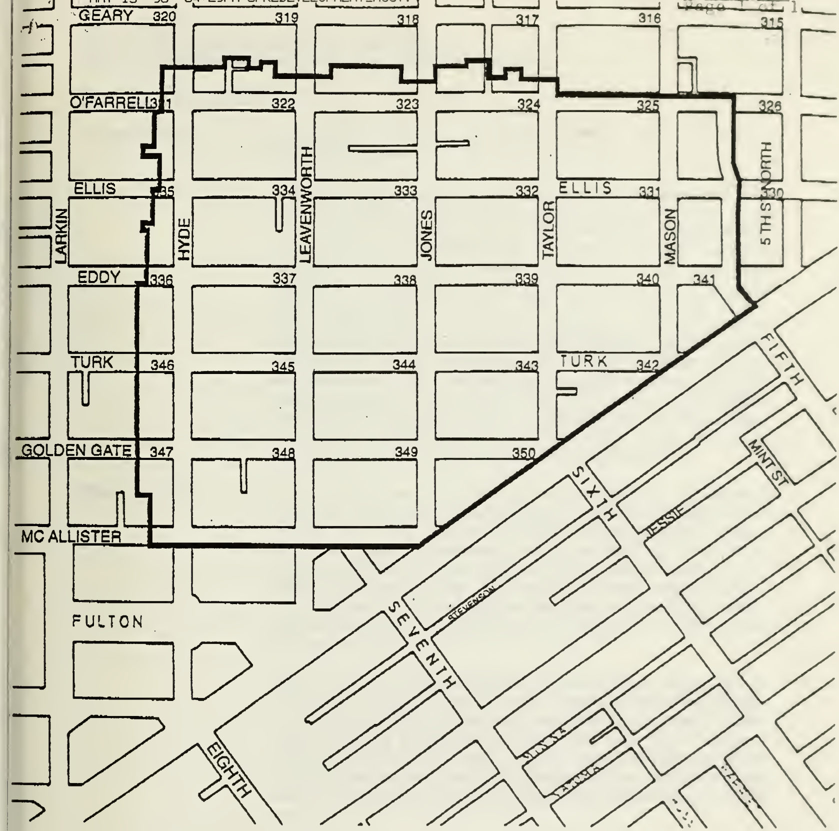
1. Ms. Gail Goldman of the SFRA reports that production of the preliminary Redevelopment Plan and EIR for the North of Market Survey Area is estimated to take approximately 12 to 18 months to complete and cost approximately $170,000. Ms. Goldman advises that these funds would be provided from the issuance of tax increment bonds.

2. Ms. Goldman advises that the establishment of the proposed redevelopment survey area north of Market Street is supported by many residents, property owners, and other interested parties in the area, including a non-profit organization, the North of Market Planning Coalition, which has conducted an extensive planning and community participation process over the last two years on economic development needs and other issues in the area.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

MAY 13 '96 04:29PM SFREDEVELOPMENT_AGCY.

Attachment
Page 1 of 1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FULTON
FIFTH
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SIXTH
STEVENSON
SEVENTH
EIGHTH

NORTH OF MARKET
PROPOSED SURVEY AREA

EXHIBIT I

1" = 400' - 0"

TSD-SA-ET-4/16/96

Item 7 - File 97-96-28

Department: Department of Parking and Traffic (DPT)
Parking Authority

Item: Ordinance amending Chapter 17 of the Administrative Code by (1) repealing Sections 17.2-1, 17.2-2, 17.3, 17.4, 17.5, 17.9, 17.10, 17.14, 17.15, 17.19 and 17.22, which set forth certain powers and responsibilities of the San Francisco Parking Authority that are no longer consistent with the City Charter, the Administrative Code, or DPT practices, (2) amending Sections 17.1, 17.2, 17.6, 17.7, 17.8, 17.11, 17.16, 17.17, 17.18, 17.20, 17.21 and 17.23 to make these Sections consistent with the powers and responsibilities vested in the Parking and Traffic Commission by the City Charter and the Administrative Code, and with current DPT practices, and (3) adding Sections 17.3, 17.8, 17.11, 17.12, and 17.16, which provide for certain powers and responsibilities of the Parking Authority consistent with the City Charter, the Administrative Code and current DPT practices.

Description: The Department of Parking and Traffic is proposing primarily technical amendments, with the exception of Section 17.17, to Chapter 17 of the Administrative Code, which regulates City-owned parking garages, to (1) make it consistent with the new Charter, which takes effect July 1, 1996, (2) reflect current DPT practices with respect to the management of City-owned parking garages, and (3) update and clarify certain procedures with respect to City-owned parking garages.

Section 17.17, in part, includes a new provision which would authorize the Parking and Traffic Commission (Commission) to establish and implement new public parking rates at City-owned parking garages on an 180-day trial basis, without prior approval of the Board of Supervisors. At the end of the 180-day trial period, the Commission shall either rescind the rates or obtain approval of the Board of Supervisors for the new rates.

This proposed amendment to Section 17.17 would implement a recommendation made by the Budget Analyst in a management audit of the City-owned parking garages, dated November of 1993. The Budget Analyst found (1) that the rate setting process for City-owned garages does not permit the City-owned garages to alter hourly parking rates on an experimental basis to measure the effective demand for transient and monthly parking, (2) that the current process for changing parking rates, which requires the approval of the Parking and Traffic Commission, the Board of Supervisors and the Mayor's Office, can take between three and four months during which time, rates or numbers of parking spaces at nearby private garages may change and (3) the time frame involved in this process hinders the ability of the City-owned garages to maximize revenues and to estimate the effective demand for transient and monthly parking.

Accordingly, the Budget Analyst recommended, in part, that (1) the Parking and Traffic Commission should request the Mayor and the Board of Supervisors to permit the DPT to adjust parking garage rates for 90-day experimental trial periods as needed, without the approval of the Board of Supervisors, and measure the effect on garage revenue and usage and (2) the DPT be required to seek Board of Supervisor approval of any permanent rate changes at the end of each 90-day trial period, and (3) if the Mayor and the Board of Supervisors permit the DPT to adjust rates over a 90-day trial period, they should require that the DPT to provide them with a detailed report analyzing the impact to the City's revenues from the rates charged during the 90-day trial period, at the time when the DPT seeks Board of Supervisors approval of the permanent parking rate changes.

Mr. Kevin Hagerty, Director of the Parking Authority, advises that the DPT is requesting approval of 180-day trial periods, as opposed to the 90-day trial periods recommended by the Budget Analyst, because the DPT believes that the DPT will require approximately 180 days in order to have sufficient time to perform the necessary analysis to determine the adequacy of the trial rates.

Comments:

1. The Budget Analyst believes that the 180 day trial period now being requested by the DPT is reasonable in order to ensure that DPT will have sufficient time to perform the necessary analysis to determine the adequacy of the trial rates.

2. The Budget Analyst notes that the proposed legislation does not stipulate that the DPT would be required to provide the Board of Supervisors with a detailed report analyzing the impact to the City's revenues from the temporary rates charged during the trial period.

Recommendations: 1. Amend the proposed legislation to require the DPT to provide a detailed report to the Board of Supervisors, analyzing the impact to the City's revenues from the parking rates charged during 180-day trial periods, at the time when the DPT seeks Board of Supervisors approval of permanent parking rate changes.

2. Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Margaret Kisliuk
Paul Horcher
Ted Lakey

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CALENDAR

Action Taken

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

5/16/96

THURSDAY, MAY 16, 1996 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-6. [Stop Signs, Various Locations] Hearing to consider establishing stop signs at various locations. (DPT Order No. 1035.) (Supervisor Shelley)

Stop Signs - Establish
Sixteenth Avenue and Noriega Street (north), northeast corner, stopping Noriega Street traffic (presently an uncontrolled T-intersection).

Sixteenth Avenue and Noriega Street (south), southwest corner, stopping Noriega Street traffic (makes this an all-way stop.)

Sixteenth Avenue and Ortega Street, northeast and southwest corners, stopping Ortega Street traffic (makes this an all-way stop).

Eighteenth Avenue and Moraga Street, northwest and southeast corners, stopping Eighteenth Avenue traffic (makes this an all-way stop).

Second Avenue and Irving Street, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way stop).

Beach and Jones Streets, northeast and southwest corners, stopping Beach Street traffic (makes this an all-way stop).

Clifford Terrace and Ashbury Street, northeast corners, stopping Clifford Terrace traffic (presently an uncontrolled T-intersection).

College Avenue and Murray Street, northwest and southeast corners, stopping College Avenue traffic (makes this an all-way stop).

Melrose Avenue and Teresita Boulevard, northeast corner, stopping Melrose Avenue traffic (presently an uncontrolled T-intersection).

Monterey Boulevard and Ridgewood Avenue, northeast and southwest corners, stopping Monterey Boulevard traffic (makes this an all-way stop).

(b) File 19-96-7. [Parking Regulations, Various Locations] Hearing to consider establishment and revocation of parking regulations, various locations. (DPT Order No. 1035.) (Department of Parking and Traffic)

20-Minute Parking Time Limit, 4 p.m. - 6 p.m., School Days - Establish
Stockton Street, east side, between Pine and Emma Streets.

No Parking Anytime - Establish
Seventeenth Street, north side, from Treat Avenue to 40 feet westerly (40-foot zone).

No Parking, 9 a.m. - 6 p.m., Monday Through Friday - Establish
Holloway Avenue, north side, between Ashton Avenue and Beverly Street.

Unmetered Motorcycle Parking - Rescind
Holloway Avenue, north side, between Nineteenth and Varela Avenues.

Nineteenth Avenue, west side, from 723 feet to 823 feet north of Holloway Avenue (100-foot zone to be relocated to accommodate new white zone).

Unmetered Motorcycle Parking - Establish
Nineteenth Avenue, west side, from 800 feet to 900 feet north of Holloway Avenue (100-foot zone).

(c) File 20-96-6. [Traffic Regulations, Various Locations] Hearing to consider establishment and revocation of traffic regulations, various locations. (DPT Order No. 1035.) (Department of Parking and Traffic)

No U-Turns - Establish
Market Street, westbound, at Valencia Street.

No Left Turn, 4 p.m. - 6 p.m., Except Sundays - Rescind
No Left Turn, 4 p.m. - 6 p.m., Except Sundays (Muni Excepted) - Establish
South Van Ness Avenue, northbound, at Sixteenth Street.

Tow-Away, No Stopping Anytime - Establish
Sutter Street, north side, between Market and Sansome Streets.

Tow-Away Lane Must Turn Right - Establish
Folsom Street, eastbound, at Fourth Street.

Tow-Away, No Stopping, 6 a.m. - 10 a.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 6 a.m. - 9 a.m., Monday Through Friday - Establish
Sixth Street, east side, between Bryant and Brannan Streets (change in effective hours only).

ACTION: Items (a) and (b) removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 18-96-6. Hearing held. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Stop Intersections] Resolution designating certain intersections as stop intersections." Recommended.

b. File 19-96-7. Hearing held. Question divided. Question on revocation of unmetered motorcycle parking regulation on Holloway Avenue," severed and considered separately under File 19-96-7.1. Remainder of Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Parking Regulations] Enacting and rescinding parking regulations at various locations." Recommended.

File 19-96-7.1. Question of "Considering revocation of 'unmetered motorcycle parking' regulation on Holloway Avenue," severed from File 19-96-7. Filed.

File 20-96-6. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting and rescinding traffic regulations on various streets." Recommended.

REGULAR CALENDAR

2. File 24-96-2. [Appeal, Sidewalk Encroachment, 818 Sanchez Street] Communication received from Martin H. Eber, Eber & Nakagawa Law Offices, on behalf of David P. Cincotta, appealing the decision of the Department of Public Works in its hearing of March 20, 1996, approving Minor Encroachment Permit No. 95-MSE-204, to occupy, maintain, and construct on the undeveloped public right-of-way the following four encroachments: (1) low (less than 4' high) retaining walls; (2) concrete walk and steps with decorative retainer; (3) driveway with decorative pavers for egress and ingress to subject property; and (4) landscaping and irrigation of property located at 818 Sanchez Street.

ACTION: Hearing held. Appeal sent to Board Without Recommendation. (See also File 24-96-2.1.) Motion prepared in and reported out of Committee entitled: "[Encroachment Permit – 818 Sanchez Street] Denying the appeal of a decision by the Director of Public Works, which granted the issuance of a minor sidewalk encroachment permit to occupy, construct, and maintain within the unimproved portion of the public right-of-way fronting the property at 818 Sanchez Street the following four encroachments: (1) low (less than 4' high) retaining walls, (2) concrete walk and steps with decorative pavers, (3) driveway with decorative pavers for egress and ingress to subject property, and (4) landscaping and irrigation." To Board Without Recommendation.

File 24-96-2.1. Hearing held. Motion prepared in and reported out of Committee entitled: "[Encroachment Permit - 818 Sanchez Street] Upholding the appeal of a decision by the Director of Public Works, which granted the issuance of a minor sidewalk encroachment permit to occupy, construct, and maintain within the unimproved portion of the public right-of-way fronting the property at 818 Sanchez Street the following four encroachments: (1) low (less than 4' high) retaining walls, (2) concrete walk and steps with decorative pavers, (3) driveway with decorative pavers for egress and ingress to subject property, and (4) landscaping and irrigation." To Board Without Recommendation.

3. File 223-96-17. [Liquor License, 413/415 Geary Street] Hearing to consider that the issuance of a Type 64 on sale general - special theater alcoholic beverage license to Dianne M. Prichard for the American Conservatory Theater (A.C.T.), located at 413/415 Geary Street, will serve the convenience and necessity of the people of the City and County of San Francisco. (Also see File 223-95-35). Filed by Dianne M. Prichard.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 64 on sale general - special theater alcoholic beverage license to Dianne M. Prichard for the American Conservatory Theater (A.C.T.), located at 413/415 Geary Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

4. File 223-96-18. [Liquor License, 1795 Geary Street] Hearing to consider that the issuance of a Type 42 on sale beer and wine license at 1795 Geary Street to Thomas Campbell-Reed will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Thomas Campbell-Reed, Proprietor.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 42 on sale beer and wine license at 1795 Geary Street to Thomas Campbell-Reed will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

5. File 247-96-1. [Redevelopment Survey Area, North of Market] Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law. (Supervisor Bierman)

   ACTION: Consideration continued to the Call of the Chair (at the request of sponsor).

6. File 34-96-2. [Sidewalk Width Regulations, Bryant/Ninth/Brannan] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1522 changing the official sidewalk widths on the southeasterly side of Bryant Street between Ninth Street and 275' northeasterly of Ninth Street, on the northeasterly side of Ninth Street between Bryant Street and Brannan Street, and on the northwesterly side of Brannan Street between Ninth Street and 275' northeasterly of Ninth Street, as shown on the Department of Public Works drawing labeled Q-20-418 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

7. File 97-96-28. [Parking Authority] Ordinance amending Administrative Code by repealing Sections 17.2-1, 17.2-2, 17.3, 17.4, 17.5, 17.9, 17.10, 17.14, 17.15, 17.19 ,and 17.22 thereof, which set forth certain powers and responsibilities of the San Francisco Parking Authority that are no longer consistent with the San Francisco Charter, or Administrative Code, or current practice; amending Sections 17.1, 17.2, 17.6, 17.7, 17.8, 17.11, 17.16, 17.17, 17.18, 17.20, 17.21, and 17.23 thereof to make those sections consistent with the powers and responsibilities vested in the Parking and Traffic Commission by the San Francisco Charter, the Administrative Code and with current practice; and adding Sections 17.3, 17.8, 17.11, 17.12, and 17.16 thereto, which provide for certain powers and responsibilities of the Parking Authority consistent with the San Francisco Charter, the Administrative Code and current practice. (Department of Parking and Traffic)

   ACTION: Hearing held. Amended on page 16, line 17, after "rates," by adding the following: "When the Commission requests Board approval for an adjustment of rates after a trial period, the Commission shall provide a report analyzing the impact on City revenues from the parking rates charged during the trial period." Recommended as amended.

CALENDAR

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, JUNE 6, 1996, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng

CLERK: Gail Johnson

* * * * * * * * * * * * * * *

Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

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The following services are available on request 48 hours prior to the meeting or hearing:
For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

    (a) File 18-96-8. [Stop Signs, Various Locations] Hearing to consider establishing of stop signs at various locations. (DPT Order No. 1050.) (Department of Parking and Traffic)

    Eighteenth and Harrison Street (north), northwest and southeast corners, stopping Harrison Street traffic (makes this T-intersection an all-way stop).

    Thirty-Third Avenue and Ulloa Street, northwest and southeast corners, stopping Thirty-Third Avenue (make this an all-way stop).

    Delano and Niagara Avenues, northeast and southwest corners, stopping Niagara Avenue traffic (makes this an all-way stop).

    Jennings Street and Key Avenue, northwest and southeast corners, stopping Jennings Street traffic (makes this a two-way stop).

    Jennings Street and Le Conte Avenue, all corners, stopping all approaches (makes this an all-way stop).

    Octavia and Vallejo Streets, northeast and southwest corners, stopping Vallejo Street (makes this an all-way stop).

    Thornton Avenue, Ledyard Street, and Vesta Street, northwest and southeast corners, stopping Thornton Avenue traffic (makes this an all-way stop).

    (b) File 19-96-8. [Van Pool Parking, Washington Street] Hearing to consider revocation of Van Pool Parking, 6 A.M. – 9 A.M., Monday through Friday – Washington Street, south side, from 9 feet to 53 feet east side of Battery Street (44-foot zone at meter nos. 343 and 347, to be replaced with 12 motorcycle stalls); Washington Street, south side, from 97 feet to 160 feet east of Battery Street (63-foot zone at meter nos. 327, 331, & 335, to be replaced with 18 motorcycle stalls). (DPT Order No. 1050.) (Department of Parking and Traffic)

(c) File 20-96-7. [Traffic Regulations, Various Locations] Hearing to consider establishing traffic regulations, various locations. (DPT Order No. 1050.) (Department of Parking and Traffic)

Bicycle Lanes – Establish
Mansell Street, both sides, between San Bruno Avenue and University Street.

Webster Street, both sides, between Bush and Grove Streets.

No Turn on Red, 9 a.m. – 5 p.m., Monday Through Friday – Establish
Hayes Street, westbound, at Van Ness Avenue.

No U-Turns – Establish
Holloway Avenue, eastbound and westbound, at Varela Avenue.

Tow-Away, No Stopping, 3 p.m. – 6 p.m., Monday Through Friday – Rescind
Tow-Away, No Stopping, 7 a.m. – 9 a.m. and 3 p.m. – 7 p.m., Monday Through Friday – Establish
Fremont Street, east side, from 140 feet to 416 feet south of Market Street (276-foot zone, adds morning tow-away and extends evening tow-away to 7 p.m.)

Tow-Away, No Stopping Anytime – Establish
Fremont Street, east side, from Mission Street to 134 feet northerly (134-foot zone).

Turk Street, north side, from Baker Street to 70 feet easterly (70-foot zone).

(d) File 40-96-10. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding Parnassus Avenue, between Shrader and Cole Streets, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(e) File 40-96-11. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Church Street, between Eighteenth and Nineteenth Streets, west side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

REGULAR CALENDAR

2. File 223-96-19. [Liquor License, 1050 Van Ness Avenue] Hearing to consider that the issuance of an off-sale beer and wine license to Leonardo Calderon for Golden Gate Gift Shop, located inside the Richelieu Hotel at 1050 Van Ness Avenue, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Leonardo Calderon, Gift Shop Owner.

ACTION:

3. File 223-96-20. [Liquor License, 2498 Lombard Street] Hearing to consider that the issuance of a Type 20 off sale beer and wine license to Tosco Corporation for B. P. Gas Station, located at 2498 Lombard Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Lee Sanders, Consultant – Tosco Corporation.

ACTION:

4. File 223-96-21. [Liquor License Transfer, 632 Commercial Street] Hearing to consider that the transfer of a Type 20 beer and wine license from A.K.A. Gourmet store located 375 Alabama Street, to the new A.K.A. Gourmet retail/showroom at 632 Commercial Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Lisa Consani, Co-founder, A.K.A. Gourmet.

ACTION:

5. File 223-96-22. [Liquor License, 1560 Powell Street] Hearing to consider that the issuance of a Type 48 on-sale general premise liquor license to Chris Martin Dickerson, for North Star cocktail bar located at 1560 Powell Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Chris Martin Dickerson.

ACTION:

6. File 169-96-1. [Street Artists] Resolution designating for four months six selling spaces on Hyde Street, east side, Beach to Jefferson Streets, for street artists certified by the Art Commission, City and County of San Francisco, and exempting said spaces from the regulations prohibiting selling within seven-and-a half feet of a sprinkler inlet and twelve feet from the outer edge of an entrance to a building. (Supervisors Shelley, Bierman)

ACTION:

7. File 169-96-2. [Street Artists] Resolution designating four former temporary holiday selling spaces on Market Street, south side, 2nd to 1st Streets, as permanent selling spaces and designating three former temporary holiday selling spaces on Sutter Street, south side, at Market Street, for one year subject to Board of Supervisors review for street artists certified by Art Commission, City and County of San Francisco. (Supervisors Shelley, Bierman)

ACTION:

8. File 169-96-3. [Street Artists] Resolution re-designating for six months three selling spaces on Stockton Street, west side, at O'Farrell Street, for street artists certified by the Art Commission, City and County of San Francisco; holding harmless from any litigation any building adjacent to said street artist spaces. (Supervisors Shelley, Bierman)

ACTION:

9. File 34-96-3. [Sidewalk Width Regulations] Ordinance amending ordinance No. 1061 entitled "Regulating the width of sidewalks" by adding thereto Section No. 1523 changing the official sidewalk widths on the south side of Irving Street between Arguello Boulevard and 2nd Avenue, on the northwest corner of Judah Street and 18th Avenue, on the northwest corner of Judah Street and 36th Avenue, on the northwest corner of Taraval Street and 36th Avenue, on the southwest corner of Taraval Street and 37th Avenue, and on a portion of Irving Street between 2nd Avenue and 3rd Avenue, collectively known as MUNI Key Stop Phase "B", and as shown on the Department of Public Works drawing labeled Q-20-440 through Q-20-445, inclusive, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

10. File 81-95-1. [Alcoholic Beverage Special Use Subdistrict] Ordinance amending the City Planning Code by adding Section 781.8 imposing permanent zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Cesar Chavez Street, Potrero Avenue and Guerrero Street. (Supervisors Leal, Shelley, Kaufman, Alioto)

    ACTION:

11. File 81-95-1.1. [Mission Alcoholic Beverage SUD Map Change] Ordinance amending the San Francisco Zoning Map to establish the boundaries for the Mission Alcoholic Beverage Special Use Subdistrict. (Supervisors Leal, Shelley, Kaufman, Alioto)

    ACTION:

SPECIAL ORDER - 11 A.M.

12. File 265-96-1. [Preservation of Neighborhood Business] Hearing to consider community input on the possible closing of Old Uncle Gaylord's Ice Cream Parlor on Irving Street. (Supervisors Teng, Yaki, Bierman, Shelley)

    ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
ROOM 308, VETERANS BUILDING
SAN FRANCISCO, CA 94102

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

June 4, 1996

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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: June 6, 1996 Housing and Land Use Committee Meeting

Item 6 - File 169-96-1

Department: Art Commission

Item: Resolution temporarily designating six selling spaces on the east side of Hyde Street at Jefferson Street, for a four month period, for street artists certified by the Art Commission, exempting said spaces from the regulations prohibiting selling within seven-and-a-half feet of a sprinkler inlet and twelve feet from the outer edge of an entrance to a building.

Description: In November of 1975, San Francisco voters adopted the Street Artists Ordinance which authorizes the Board of Supervisors, by resolution, to designate selling spaces where any street artists or craftspersons certified by the Art Commission can sell their products.

The proposed resolution would authorize the Board of Supervisors to temporarily designate six selling spaces for four months on the east side of Hyde Street at Jefferson Street for street artists certified by the Art Commission, exempting said spaces from the regulations prohibiting selling within seven-and-a-half feet of a sprinkler inlet and twelve feet from the outer edge of an entrance to a building. The above-mentioned spaces would be made available to street artists beginning on the date of Board of Supervisors approval of the proposed resolution. The Art Commission reports that these temporary six selling spaces are being requested to provide the street artists with additional spaces for the 1996 summer season.

In July of 1983 the Board of Supervisors approved an ordinance (File No. 274-83-2) to amend Section 2405 of the Police Code to add a provision that would authorize the Board of Supervisors to exempt designated areas from regulations.

Comments:

1. Mr. Howard Lazar, Director of the Street Artists Program, advises that two public hearings were held by the Art Commission on the proposed six temporary spaces, and there was no opposition to designating these six temporary spaces for street artists.

2. Mr. Lazar reports that the six temporary spaces on the east side of Hyde Street at Jefferson Street will be located in front of the Wharfside Building, most of which is uninhabited due to the 1989 Loma Prieta earthquake. The Wharfside Building is owned by the San Francisco Maritime National Historic Park. Mr. Lazar states that the San Francisco Maritime National Historic Park does not oppose of the location of the proposed six temporary spaces.

3. Mr. Lazar advises that certificates are issued for either a three-month period or a one-year period, and the quarterly and annual certificate fees are $87.50 and $350, respectively. A certificate permits a street artist to sell his/her products at a designated selling space, and certifies that a street artist has been approved by the Art Commission. Mr. Lazar reports that there are currently 400 certified street artists, of which no more than 200 street artists are active on a given day. Mr. Lazar states that approximately $133,000 in certificate fee revenues were generated in FY 1995-96.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 7 - File 169-96-2

Department: Art Commission

Item: Designating four former temporary holiday selling spaces on the south side of Market Street, at First and Second Streets, as permanent selling spaces, and designating three former holiday spaces on the southeast corner of Sutter Street, at Market Street, for a one-year period.

Description: In November of 1975, San Francisco voters adopted the Street Artists Ordinance which authorizes the Board of Supervisors, by resolution, to designate selling spaces where any street artists or craftspersons certified by the Art Commission can sell their products.

The proposed resolution would authorize the Board of Supervisors to designate four former temporary holiday selling spaces on the south side of Market Street, at First and Second Streets, as permanent selling spaces, and designate three former holiday spaces on the southeast corner of Sutter Street, at Market Street, for a one-year period beginning on the date of Board of Supervisors approval of the proposed resolution.

Comments: 1. Mr. Howard Lazar, Director of the Street Artists Program, advises that two public hearings were held by the Art Commission on the seven proposed selling spaces that are described above. Mr. Lazar reports that, during the course of the public hearings, representatives of Northwest Asset Management and Citicorp expressed opposition to the proposed three former holiday spaces on the southeast corner of Sutter Street, at Market Street, for a one-year period beginning on the date of Board of Supervisors approval of the proposed resolution.

Northwest Asset Management and Citicorp are located across the street from the three proposed selling spaces to be located at Sutter and Market Streets, and representatives from these two companies cited their opposition to the potential obstruction of the sidewalk and street congestion, according to Mr. Lazar. The attached memorandum provided by Mr. Lazar addresses these issues.

2. Mr. Lazar advises that certificates are issued for either a three-month period or a one-year period, and the quarterly and annual certificate fees are $87.50 and $350, respectively.

A certificate permits a street artist to sell his/her products at a designated selling space, and certifies that a street artist has been approved by the Art Commission. Mr. Lazar reports that there are currently 400 certified street artists, of which no more than 200 street artists are active on a given day. Mr. Lazar states that approximately $133,000 in certificate fee revenues were generated in FY 1995-96.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

cc Supers

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SAN FRANCISCO ART COMMISSION

PROGRAMS
Civic Art Collection
Civic Design Review
Community Arts & Education
Cultural Equity Grants
Pops Symphony Concerts
Public Art

Street Artists Licenses
Suite 70
415.252.2581

Art Commission Gallery
401 Van Ness Avenue
415.554.6080

City and County of San Francisco

Attachment Page 1 of 2

May 7, 1996

The Honorable Kevin Shelley
President
Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

Attention: Ms. Mindy Linetzky, Legislative Aide

Re: Designation of four former holiday spaces as permanent spaces for street artists on Market Street, south side, 2nd to 1st Streets; and designation of three former holiday spaces for one year for street artists on Sutter Street, south side, at Market Street

Dear Supervisor Shelley:

After conducting two public hearings, the full Art Commission yesterday voted unanimously to request the Board of Supervisors to designate four former temporary holiday selling spaces for street artists as permanent spaces on Market Street, south side, 2nd to 1st Streets, and to designate three former temporary holiday selling spaces for street artists for one year on Sutter Street, south side, at Market Street, subject to Board of Supervisors review after one year.

At present, there are five permanent selling locations on Market Street, south side, 2nd to 1st Streets - these had been former temporary holiday spaces which had been designated annually by the Board of Supervisors since 1982 and made permanent in 1993 by Resolution No. 737-93.

Across the street are three temporary holiday selling locations on Sutter Street, south side, at Market Street - these have been designated annually since 1986.

At the Art Commission's Street Artists Program Committee hearing on this matter on April 10th, some thirty street artists appeared, and a petition of 43 artists' signatures in support of the proposal was submitted.

For the hearing, the Street Artists Program notified 25 downtown store merchants, merchant and building owner associations. Of these, two appeared and opposed the proposal for the one-year designation of the three spaces on Sutter Street: Ms. Elizabeth Vines, Property Manager of Northwest Asset Management, representing the Flatiron Building of 540 Market Street, and Ms. Vanessa Quesada, representing the owners of Citicorp whose building is across the street from the proposed three spaces.

No opposition was voiced to the proposal for making permanent the four spaces on Market Street, south side, 2nd to 1st Streets.

Ms. Vines and Ms. Quesada objected to the three spaces on Sutter Street for reasons of sidewalk and street congestion. This was countered by various artists who maintained that the congestion at that location was not nearly as great as in other street artist locations downtown, and that the main rush hour traffic occurred away from the spaces - down Market Street to the Ferry Building. In conclusion, the Art Commissioners acknowledged that the three spaces, as well as the four on Market Street, met all of the public fire and safety regulations adopted by the Board of Supervisors over twenty years ago and retained in the current street artist ordinance (Section 2405, Ordinance 41-83).

Noteworthy, from the hearing, was testimony received from a street artist/ex-bike messenger that the proposed three spaces would actually prevent bike messengers from jumping onto and cutting across the sidewalk to Market Street. In addition, it was acknowledged that it was the Street Artists Program who has taken the initiative to tackle the illegal (unlicensed) vendor problem that occupies the Sansome Street sidewalk adjacent to Citicorp: for the past four winter holiday seasons, Police officers hired by the Street Artists Program have cited and confiscated the merchandise of the illegals.

We respectfully request that you please introduce this matter to the Board of Supervisors for a review by committee as soon as possible.

Please find the enclosed legislative draft, map, and a list of key merchants and building owners to notify for hearing.

Sincerely,

Howard Lazar

Howard Lazar
Director
Street Artists Program

Enclosures

cc: Mr. John L. Taylor, Clerk of the Board

Mr. Richard Newirth, Director of Cultural Affairs
Ms. Nancy Conchar, Assistant Director

Item 8 - File 169-96-3

Department: Art Commission

Item: Resolution redesignating three selling spaces on the southwest corner of Stockton Street, at O'Farrell Street, for six months, for street artists certified by the Art Commission, holding harmless any building owner adjacent to said street artist spaces.

Description: In November of 1975, San Francisco voters adopted the Street Artists Ordinance which authorizes the Board of Supervisors, by resolution, to designate selling spaces where any street artists or craftspersons certified by the Art Commission can sell their products.

The Board of Supervisors previously approved legislation on October 23, 1995, designating these three selling spaces on the southwest corner of Stockton Street, at O'Farrell Street, for a six-month period, from October 27, 1995 to April 27, 1996, subject to review by a committee of the Board of Supervisors to determine whether the three selling spaces meet all of the public and safety regulations as provided in the Street Artists Ordinance.

On October 12, 1995, the Government Efficiency and Labor Committee of the Board of Supervisors reviewed the three selling spaces and determined that these selling spaces meet all of the public and safety regulations as provided in the Street Artists Ordinance.

The proposed resolution would redesignate three selling spaces on the southwest corner of Stockton Street, at O'Farrell Street, for six months, beginning on the date of Board of Supervisors approval of the proposed resolution, for street artists certified by the Art Commission.

Comments: 1. According to Mr. Howard Lazar, Director of the Street Artists Program, public hearings were recently held by the Art Commission on the three selling spaces by the Art Commission's Street Artists Program Committee. Mr. Lazar reports that, during the course of the public hearings, a representative of Cushman-Wakefield, representing The Limited, expressed opposition to the proposed redesignation of three selling spaces on the southwest corner of Stockton Street, at O'Farrell Street, for a six-month period.

The Limited is adjacent to the three proposed selling spaces, and the representative from Cushman-Wakefield cited her opposition to the potential obstruction of the sidewalk and potential lack of maintenance of the sidewalk, according to Mr. Lazar. The attached memorandum provided by Mr. Lazar addresses these issues.

2. Mr. Lazar advises that certificates are issued for either a three-month period or a one-year period, and the quarterly and annual certificate fees are $87.50 and $350, respectively. A certificate permits a street artist to sell his/her products at a designated selling space, and certifies that a street artist has been approved by the Art Commission. Mr. Lazar reports that there are currently 400 certified street artists, of which no more than 200 street artists are active on a given day. Mr. Lazar states that approximately $133,000 in certificate fee revenues were generated in FY 1995-96.

Recommendation: Approval of the proposed resolution, as amended, is a policy matter for the Board of Supervisors. According to Ms. Miriam Strombler of the City Attorney's Office, the reference to the hold harmless clause contained in the proposed resolution should be deleted because it is not clear as to the circumstances in which litigation could arise as a result of the designation of selling spaces for street artists at the southwest corner of Stockton Street at O'Farrell Street.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Brown
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Margaret Kisliuk
Paul Horcher
Ted Lakey

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SAN FRANCISCO ART COMMISSION

Attachment
Page 1 of 2

554-4005
/

May 7, 1996

The Honorable Kevin Shelley
President
Board of Supervisors
401 Van Ness Avenue, Room 308
San Francisco, CA 94102

PROGRAMS
Civic Art Collection
Civic Design Review
Community Arts & Education
Cultural Equity Grants
POPS Symphony Concerts
Public Art

Street Artists Licenses
Suite 70
415.252.2581

Art Commission Gallery
401 Van Ness Avenue
415.554.6080

Attention: Ms. Mindy Linetzky, Legislative Aide

Re: Re-designation of three street artist spaces on Stockton Street, west side, at O'Farrell Street for six months

Dear Supervisor Shelley:

After conducting two public hearings, the full Art Commission yesterday voted unanimously to request the Board of Supervisors to re-designate for another six months three selling spaces for street artists on Stockton Street, west side, at O'Farrell Street. (Initially, last October, you and the other ten members of the Board voted to designate these spaces for six months - Resolution No. 871-95.)

Just as we did for the previous Art Commission hearings on this matter, the Street Artists Program staff notified twenty-five downtown merchant and building owner associations and stores to attend the Commission's Street Artists Program Committee hearing last month (April 10th). Of these, Ms. Ellen Kovak of Cushman-Wakefield, representing The Limited building (adjacent to the three spaces), appeared and opposed re-designation with the contention that the sidewalk was not being maintained and there were leather polish stains on the pavement. The Committee ascertained that the the stains were the result of one careless artist. Since the hearing, that artist personally and apologetically cleaned up the stains (this has been verified by my staff) and awaits a disciplinary hearing with the Commission.

Ms. Kovak also opposed re-designation because of the inherent congestion of the sidewalk itself; but the Committee verified - as it had before - that the three spaces met all of the public fire and safety regulations that have been used for the past twenty years (Section 2405, Ordinance 41-83, Street Artist Ordinance). In addition, it was noted that, since the previous Board of Supervisors designation, a JC DeCaux kiosk had been placed between Ms. Kovak's building entrance and the first of the three spaces: the kiosk whose radius encroaches the sidewalk twice as far as the artists' spaces is closer to the building's entrance and to the adjacent crosswalk and, as such, could be considered the real contributor to the sidewalk's congestion. In contrast, the street artist spaces permit a pedestrian passageway of ten feet six inches, a half foot more

City and County of San Francisco

25 Van Ness Ave. Suite 240. San Francisco. CA 94102 Tel 415.252.2590 Fax 415.252.2595

than the law requires.

The hearing was attended by thirty street artists who supported the proposal for re-designation and reminded the Committee that until four years ago when the Street Artists Program started paying for off-duty Police officers to patrol the Downtown-Union Square area, the sidewalk in front of The Limited building had been used regularly by illegal (non-liceensed) vendors who sold neckties, jewelry, CD's and tapes, etc. The enforcement paid for by the street artists' license fees - the citing and confiscating of the merchandise of the illegals - has virtually cleaned up Stockton Street and made a sizeable dent in the enforcement problems downtown during the past four winter holiday seasons.

For these reasons, we respectfully request that you please introduce this matter to the Board of Supervisors for a review by committee as soon as possible. (It was the Government Efficiency & Labor Committee which held the hearing last time.)

Please find the enclosed legislative draft, a map of the three spaces, and also a list of merchants and building owner associations who were notified for the Art Commission's hearings.

Sincerely,

Howard Lazar

Howard Lazar
Director
Street Artists Program

Enclosures
- Legislative draft (plus one copy)
- Map
- List of merchants/building owners

cc: Mr. John L. Taylor, Clerk of the Board

Mr. Richard Newirth, Director of Cultural Affairs
Ms. Nancy Gonchar, Assistant Director

SF
S90.46
#1

6/20/96
Rescheduled
to 6/24/96

NOTICE OF RESCHEDULED MEETING

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HOUSING AND LAND USE COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Housing and Land Use Committee for Thursday, June 20, 1996, at 10:00 a.m., has been rescheduled to Monday, June 24, 1996, at 10:00 a.m., in the Legislative Chamber, Room 404, Veterans Building, 401 Van Ness Avenue, San Francisco, California.

JOHN L. TAYLOR
Clerk of the Board

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6/24/96

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CALENDAR Action Taken

RESCHEDULED MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, JUNE 24, 1996 - 10:00 A.M.

Veterans Building
Legislative Chamber
401 Van Ness Ave., Room 404

PRESENT: Supervisors Sue Bierman, Amos Brown

ABSENT: Supervisor Mabel Teng

CLERK: Gail Johnson

1. File 34-96-4. [Sidewalk Width Regulations, Fulton Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1524 changing the official sidewalk width on the south side of Fulton Street west of Stanyan Street, as shown on the Department of Public Works drawing labeled Q-20-438 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

2. File 34-96-5. [Sidewalk Width Regulations, Langton Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1525 establishing the official sidewalk width on the northeasterly side of Langton Street, southeasterly of Bryant Street, to the southerly terminus of Langton Street, as shown on the Department Public Works drawing labeled Q-20-448 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

3. File 29-96-1. [Appeal, Mental Health Service Facility Relocation] Communication received from Jim Berk appealing approval on May 21, 1996, of the San Francisco Health Commission to relocate the Cluster II, South of Market Mental Health Clinic from 471 Jessie Street to 760 Harrison Street.

   ACTION: Hearing held. Motion prepared in and reported out of Committee entitled: "[Appeal - Relocation of Mental Health Facility from 471 Jessie to 760 Harrison] Concurring in the decision of the Health Commission, and approving the relocation of the South of Market Mental Health Clinic from 471 Jessie Street to 760 Harrison Street." Recommended.

BOARD of SUPERVISORS

401 Van Ness Avenue, Room 308
San Francisco 94102-4532
554-5184

Bill Lynch (2)
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NOTICE OF CANCELED MEETING

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HOUSING AND LAND USE COMMITTEE

NOTICE IS HEREBY GIVEN that due to the Independence Day Holiday, the regularly scheduled meeting of the Housing and Land Use Committee for Thursday, July 4, 1996, at 10:00 a.m., has been canceled.

The next regular meeting of the Housing and Land Use Committee will be held on Thursday, July 18, 1996, at 10:00 a.m., in Room 410, Veterans Building, 401 Van Ness Avenue, San Francisco, California.

John L Taylor
JOHN L. TAYLOR
Clerk of the Board

POSTED: JUNE 26, 1996

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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July 15, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations [illegible]

SUBJECT: July 18, 1996 Housing and Land Use Committee Meeting

Item 11 - File 34-96-6

Department: Department of Public Works (DPW)

Item: Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1526 changing the official sidewalk width on the east side of Steuart Street between Mission and Howard Streets, and making finding pursuant to Planning Code Section 101.1.

Description: The proposed ordinance would authorize the widening of the sidewalk width at the above-noted site to accommodate plans by the Steuart Street Association, a group of property owners and tenants located on Steuart Street, to create additional sidewalk space, approximately 28.5 feet wide and 580 feet long, along the east side of Steuart Street to accommodate trees and street lights, a pedestrian promenade and sidewalk cafes where desired by fronting restaurant owners/property owners.

Ms. Denise Brady of the DPW, reports that the Steuart Street Association estimates that the proposed changes to the sidewalk, would be approximately $1 million. According to

Ms. Brady, such costs would be paid for entirely by the Steuart Street Association, at no cost to the City.

Comments:

1. According to the proposed ordinance, the Planning Department has declared that the change of the official sidewalk width at the Steuart Street site is in conformity with the Master Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1

2. Ms. Brady advises that following authorization to widen the sidewalk, the Steuart Street Association would develop a construction and design plan for the project to be submitted for review and approval by the DPW at a future date.

3. Ms. Brady advises that, as of the writing of this report, the fees to be charged to the Steuart Street Association, in connection with the above-noted project have not yet been determined, but will primarily be based on the area being zoned for sidewalk cafe space. According to Ms. Brady, because the size of the proposed sidewalk cafe area, would be considerably larger than the typical sidewalk cafe space, the DPW may charge fees that are higher than the standard fee charged for sidewalk cafe space. The standard fee for sidewalk cafe space is $36 per seat per year, with an annual minimum fee of $100 and an annual maximum fee of $360.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 14 - File 255-96-1

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution designating and describing Mission Bay North as a Survey Area in accordance with the California Community Redevelopment Law.

Description: The proposed resolution would designate a survey area in order to study the feasibility of a redevelopment effort in the Mission Bay area. A survey area is land designated for analysis to determine its redevelopment feasibility, and designation as a survey area is a necessary first step in including real property in a redevelopment project area.

The land proposed to be designated as a survey area, to be known as Mission Bay North, is generally bounded by Seventh Street to the southwest, Townsend Street to the northwest, Third Street to the northeast, and the China Basin Channel to the southeast (see attached map).

The total area of the proposed Survey Area is approximately 65 acres. This land, which had been previously owned by the Southern Pacific and Santa Fe Railroads, is now primarily owned by Catellus Development Corporation. The property consists of vacant land and abandoned industrial space.

Designation of this site as a survey area is a required first step in evaluating the redevelopment potential of the area. If the proposed resolution were approved, the Redevelopment Agency would then (a) study the area to determine if it meets the criteria for use of redevelopment authority and (b) develop a Preliminary Plan, which would incorporate the City's vision for the area, the zoning and use of the land and the economic development necessary for a redevelopment plan to be realized. Once the Preliminary Plan was completed, it would be submitted to the City Planning Commission for a determination as to whether the Preliminary Plan conforms to the City's General Plan (formerly the Master Plan). In addition, an Environmental Impact Report (EIR) would be developed for the project. Both the Final Redevelopment Plan and the EIR would then be submitted to the Board of Supervisors for approval.

Comment: 1. In 1991, the City entered into a Development Agreement with Catellus which provided for the development of a mixed use office, residential and retail project in an approximately 315-acre area north and south of the China Basin Channel.

However, Catellus independently determined that development of the program provided for in the Development Agreement was not economically feasible. As a result, on April 14, 1996, Catellus exercised its contractual right to terminate the Development Agreement.

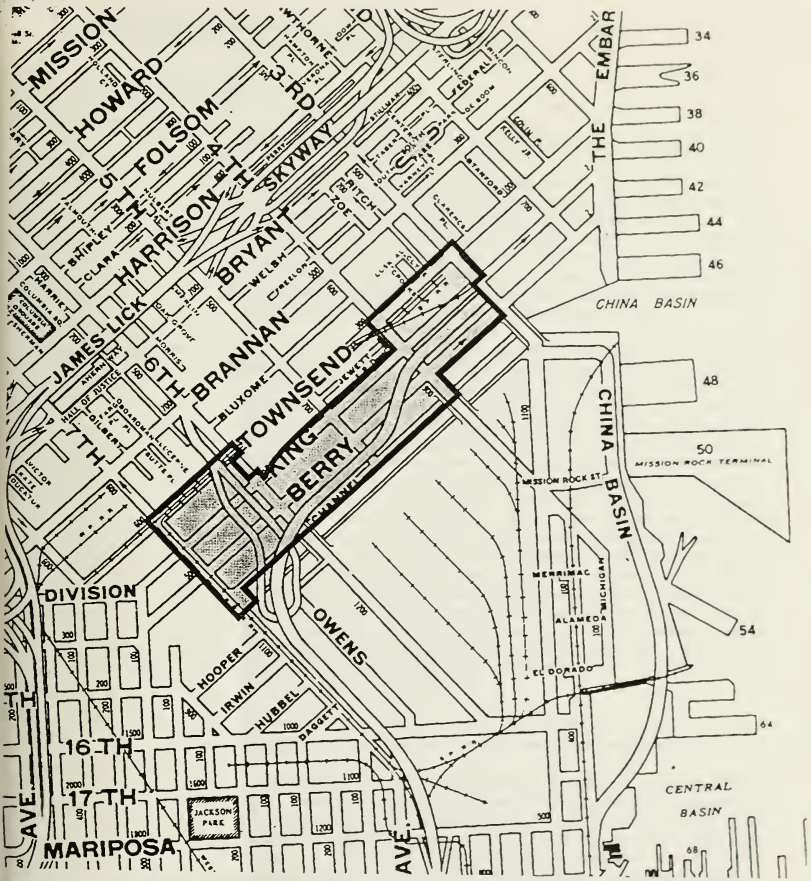
2. According to Mr. Tom Conrad of the Redevelopment Agency, one of the purposes of designating the proposed area as a survey area is to examine the use of the Redevelopment Agency's authority primarily to assist in financing (through tax increment funds) the costs of installing infrastructure and constructing affordable housing in the Mission Bay North area. A reformulated development plan, based on the original development plan called for in the above-noted Development Agreement, would be developed through a coordinated effort between Catellus and the Redevelopment Agency. The Redevelopment Agency advises that this reformulated development plan could produce as much as 3,000 units of rental and condominium housing (including at least 300 units of affordable housing), retail and entertainment uses and open space in the proposed Mission Bay North Survey Area. Mr. Conrad advises that the Redevelopment Plan will be submitted for approval to the Redevelopment Commission and the Board of Supervisors upon its completion.

2. Mr. Bob Gamble of the Redevelopment Agency reports that development of the Redevelopment Plan and EIR for the proposed Mission Bay North Survey Area would take approximately two years and would cost approximately $1.6 million. Of this $1.6 million, $794,000 has been included in the Redevelopment Agency's FY 1996-97 budget. Mr. Gamble reports that funds for the remaining cost of approximately $806,000 will be requested in the Redevelopment Agency's FY 1997-98 budget. Mr. Gamble further advises that the Redevelopment Agency will be reimbursed by Catellus for all costs associated with the development of the Redevelopment Plan and EIR for the proposed Mission Bay North Survey Area.

3. Mr. Gamble advises that an estimate of the market value of the land in the proposed Mission Bay North Survey Area is not yet available but will be determined upon completion of the Redevelopment Plan for the proposed survey area.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Attachment


MISSION
HOWARD
FOLSOM
HARRISON
BRYANT
BRANNAN
TOWNSEND
KING
BERRY
CHANNEL
JAMES LICK SKYWAY
3RD
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5TH
6TH
7TH
DIVISION
OWENS
HOOPER
IRWIN
HUBBEL
DAGGETT
16TH
17TH
MARIPOSA
JACKSON PARK
THE EMBARCADERO
CHINA BASIN
MISSION ROCK ST.
MERRIMAC
ALAMEDA
EL DORADO
MICHIGAN
CENTRAL BASIN
MISSION ROCK TERMINAL
BLUXOME
WELSH
FREELON
ZOE
RITCH
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HARRIET
COLUMBIA SQ.
SHERMAN
MORRIS
OAK GROVE
GILBERT
LUCERNE
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VICTOR
KATE
DECATUR
CLARENCE PL
STANFORD
COLIN P. KELLY JR.
FEDERAL
RINCON
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PROPOSED
MISSION BAY - NORTH OF CHANNEL
REDEVELOPMENT SURVEY AREA

SAN FRANCISCO REDEVELOPMENT AGENCY • TSD/ET • 5-2-96

Not to Scale

Item 15 - File 47-96-8

Department: Port of San Francisco
Waterfront Transportation Projects Office of the Mayor's Office

Item: Resolution preliminarily endorsing, as in the public interest, an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port of San Francisco and the Waterfront Transportation Projects Office of the Mayor's Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage.

Description: The Embarcadero and Terminal Separator segments of the I-480 freeway were badly damaged in the 1989 Loma Prieta earthquake, and were subsequently removed by the California Department of Transportation (Caltrans). In January 1996, the Board of Supervisors adopted Resolution 100-96 endorsing the Department of Parking and Traffic (DPT) Variant with a Mid-Embarcadero Split Roadway as the preferred alternative for the Mid-Embarcadero/Terminal Separator Structure Replacement Project. The Mid-Embarcadero/Terminal Separator Structure Replacement Project is the central link necessary to complete the Embarcadero Roadway and the Waterfront Transportation Projects, which extend from Fisherman's Wharf to Sixth and Berry Streets. The Mid-Embarcadero Replacement Project covers the Embarcadero from Folsom Street to Broadway Street. The Final Environmental Impact Statement and Final Environmental Impact Report (FEIS/FEIR) for the Project, which is tentatively scheduled for publication in August 1996, incorporate the DPT Variant.

The DPT Variant for the Mid Embarcadero/Terminal Separator project includes the following major elements:

- The Embarcadero from Howard to Broadway would be a four lane roadway, plus two additional lanes for parking that would be cleared for traffic to make six lanes during peak hours, with the F-line MUNI running in its median area, and bicycles lanes on both sides. The southbound roadway would curve westward in front of the Ferry Building to accommodate a central plaza;

- The Embarcadero roadway from Folsom to Howard would be realigned to accommodate Rincon Park;

- The Fremont Street off-ramp from the freeway would be realigned southward to touch down at Folsom and Fremont Streets, the Fourth Street off-ramp would be widened, and the two freeway on-ramps at Sterling and Essex Streets would, at a later date, be made flexible to accommodate either carpool lanes, or mixed use lanes, as required by traffic demand;

- A variety of lane changes, re-striping of the roadways, and signage changes would be carried out to improve traffic flows throughout the area.

Currently there are 135 on-street parking spaces and 423 off-street parking spaces on the Embarcadero between Folsom Street and Broadway under Port jurisdiction, for a total of 558 parking spaces. Approximately 44 percent, or 246 of the parking spaces, are operated for short-term use and serve tenants and visitors to the Ferry Building. The remaining 56 percent, or 312 spaces, operate as long-term parking, leased to Port and non-Port tenants. The Port receives approximately $700,000 in annual revenues from these parking spaces.

After construction of the Mid-Embarcadero Replacement Project, there will be 219 on-street parking spaces and no off-street spaces in the Embarcadero roadway area, for a net loss 339 spaces. This reduction in parking spaces would be in addition to the 628 spaces lost along the waterfront as a result of the North and South Embarcadero Roadway Projects, for a total net loss of 967 parking spaces. The Memorandum of Agreement for the North and South Embarcadero Projects, signed by departments in 1991, stipulated that the Office of the Chief Administrative Officer (CAO) and other City Departments pursue construction of a parking garage as part of the Mid-Embarcadero Project. In return, the Port agreed to proceed with construction of the North and South Embarcadero Projects.

To replace the parking loss resulting from the implementation of the Mid-Embarcadero project, the proposed legislation would endorse the construction of a subsurface parking garage of up to 350 spaces on the southern half of Block 202, bounded by Clay Street, Washington Street, Drumm Street, and Justin Herman Plaza (See Attachment). This parking garage would be part of the Mid-Embarcadero Replacement Project and would be operated primarily as a short-term parking facility by the Port.

The Waterfront Transportation Projects Office did not seek endorsement of the proposed replacement parking coincident with the DPT Variant due to insufficient information on costs and financing. The project sponsors are requesting a *preliminary* endorsement of the underground parking garage proposal at this time, prior to certification of the FEIS/FEIR, to allow staff to submit a complete project and financing recommendation for the Mid-Embarcadero/Terminal Separator Structure Replacement Project to the Port, Transportation, Art, Redevelopment, and Planning Commissions and to the Board of Supervisors this fall for final approval.

The property proposed to be used for the development of a replacement parking facility, the southern half of Block 202, was previously occupied by the Clay/Washington freeway ramps. These ramps were removed as a result of the demolition of the Embarcadero Freeway. Senate Bill 181, which transferred ownership of these parcels to the City, stipulated that the parcels were to be used for transportation purposes or the proceeds from the sale of the parcels were to be used for transportation purposes.

Comments:

1. The Port Commission preliminarily endorsed the underground parking garage of approximately 350 parking spaces on the southern half of Block 202 at its meeting of July 9, 1996.

2. The parking garage is proposed to be located underground on the southern half of Block 202, which is currently under the jurisdiction of the Department of Real Estate. Ownership of the parcel was transferred from Caltrans to the City in December of 1994, following the removal of the Embarcadero Freeway. According to Ms. Rebecca Kohlstrand of the Waterfront Transportation Projects Office, a preliminary layout for the parking facility indicates that a two story underground garage of approximately 350 spaces could be constructed on the southern half of Block 202. Access to the garage would be from Drumm Street. Ms. Kohlstrand advises that the garage could be constructed in a manner which would enable development of a park or a structure above it should the City decide to allow development on a portion of Block 202 in the future.

The northern half of Block 202 is under the jurisdiction of the Recreation and Parks Department and is used as a park area. Ms. Kohlstrand advises that the parking garage would not infringe on the existing park area.

3. Ms. Kohlstrand advises that several sites were evaluated in the vicinity of the Ferry Building for the location of the replacement parking garage. Block 202 was determined to be

the most viable location due to its proximity to the Ferry Building due to circulation considerations.

4. The Port would assume responsibility for the design and construction of the parking garage

5. The estimated cost of the Mid-Embarcadero/Terminal Separator DPT Variant is currently $99.8, including demolition, design and construction costs of approximately $71.9 million, which includes the approximate cost of $23 million for the proposed Port underground parking garage. The Waterfront Transportation Projects Office is currently seeking Federal Emergency Relief (ER) funds for the DPT Variant, including funding for a Port replacement garage.

6. Federal regulations require that projects seeking ER funding restore traffic service at a level comparable to the service which was provided prior to the earthquake. According to Ms. Kohlstrand, the DPT Variant has been determined by the Federal Highway Administration (FHWA) to be eligible for ER funding. Ms Kohlstrand advises that the City has requested that the FHWA make a preliminary response, in time to address this issue at the July 18 meeting of the Board of Supervisors' Housing and Land Use Committee, with respect to the extent to which the proposed underground parking garage would be eligible for ER funding.

7. Ms. Kohlstrand advises that the current estimated cost of $23 million for constructing an underground parking garage at the proposed site is relatively high due to the high cost of underground construction at the waterfront, and due to the estimated cost of toxic clean-up. Ms. Kohlstrand advises that compensating the Port directly for the value of its lost off-street parking property, currently estimated at $6 million to $10 million by the Department of Real Estate, may be less costly than the $23 million estimated cost to construct a 350 space underground parking garage, but that the replacement parking is needed to support the future renovation of the Ferry Building, in order to provide adequate access to the waterfront, and to provide an ongoing source of Port revenue which the Port estimates at $1.5 million annually from the 350 space parking garage.

8. As noted above, the overall cost to build the DPT Variant is estimated at approximately $99.8 million. According to Ms. Kohlstrand, the Mid-Embarcadero area is eligible for up to $58.5 million in ER funding, and the Terminal Separator structure is eligible for up to $61 million in ER funding, for a total of up to $119.5 million in available ER funding.

Currently, only $65.3 million of ER funding has actually been obligated by FHWA and Caltrans to the Mid-Embarcadero and Terminal Separator projects. Use of ER funding also requires a 15 percent match of local funds. Ms. Kohlstrand advises that after the portions of the DPT Variant which are not eligible for ER funding are excluded, the local match share of the project cost will be approximately 25 to 30 percent of $99.8 million, or up to an estimated maximum of approximately $30 million. The $30 million local match requirement includes an estimated $7 million requirement from the Port, which is considering issuing revenue bonds to fund its local match share. The DPT Variant can be funded with ER funds, and local matching funds, through a combination of State ER funds, Flexible Congestion Relief funds, San Francisco Proposition B Sales Tax funds, and funds from the sale of land parcels at Clay Street, Washington Street, and Broadway which were made available for this purpose after the removal of the Embarcadero Freeway.

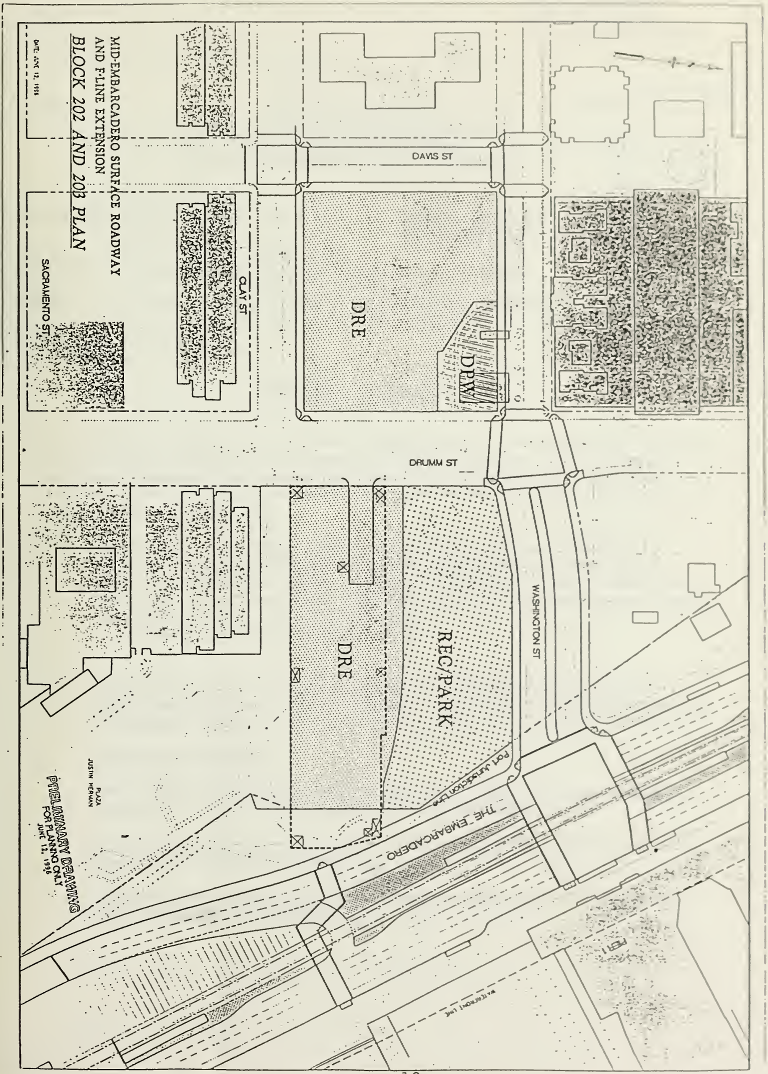
9. Representatives of the Waterfront Transportation Projects Office and the Port will be available at the Housing and Land Use Committee Meeting of July 18, 1996, to provide further information to the Board of Supervisors and respond to questions on the Mid-Embarcadero/Terminal Separator project.

10. In summary, the proposed legislation would 1) preliminarily endorse an underground parking garage of up to 350 spaces on the southern half of block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project, and 2) request the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project. In the future, the Waterfront Transportation Projects Office would still be required to obtain the approval of the Board of Supervisors for the FEIS/FEIR for the Mid-Embarcadero Replacement Project, which would include the subject 350 space underground parking garage proposal.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Controller
Margaret Kisliuk
Paul Horcher
Ted Lakey


MID-EMBARCADERO SURFACE ROADWAY
AND F-LINE EXTENSION
BLOCK 202 AND 203 PLAN
DATE: JUNE 12, 1996
DAVIS ST
CLAY ST
SACRAMENTO ST
DRE
DPW
DRUMM ST
DRE
REC/PARK
WASHINGTON ST
Port Jurisdiction Line
THE EMBARCADERO
PIER 1
JUSTIN HERMAN
PLAZA
PRELIMINARY DRAWING
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REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JULY 18, 1996 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng, Amos Brown

ABSENT: Supervisor Teng - Items 7 - 12, and for vote on Item 15

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-8.1. [Stop Signs, Eighteenth and Harrison Streets] Hearing to consider establishing stop signs at Eighteenth and Harrison Streets (north), northwest and southeast corners, stopping Harrison Street traffic (makes this T-intersection an all-way stop). (DPT Order No. 1050.) (Department of Parking and Traffic)
(Consideration continued from 6/6/96)

(b) File 18-96-10. [Stop Intersection, Various Locations] Hearing to consider establishing stop signs at various locations. (DPT Order No. 1069.) (Department of Parking and Traffic)

Stop Signs - Establish

Twenty-Ninth and Castro Streets, northeast and southwest corners, stopping Twenty-Ninth Street traffic (makes this an all-way stop).

Chestnut and Lyon Streets, northeast corner, stopping Chestnut Street traffic (stops the stem of this T-intersection).

Ritch and Brannan Streets, southeast corner, stopping northbound Ritch Street traffic (presently uncontrolled).

(c) File 19-96-9. [Parking Regulations, Various Locations] Hearing to consider establishing and rescinding parking regulations, various locations. (DPT Order No. 1069.) (Department of Parking and Traffic)

Parking Meter Area No. 1 (30-Minute Time Limit, 7 a.m. - 4 p.m., Monday Through Saturday) - Establish
Clay Street, north side, from the east property line of Davis Street to 75 feet easterly (75-foot zone, adds three meter stalls).

Parking Meter Area No. 1 (30-Minute Time Limit, 7 a.m. - 6 p.m., Monday Through Saturday) - Establish
Washington Street, north side, from the west property line of Davis Street to 150 feet easterly (150-foot zone, adds six meter stalls).

One-Hour Parking Time Limit, 7 a.m. - 3 p.m., Monday Through Saturday - Rescind
Two-Hour Parking Time Limit, 7 a.m. - 3 p.m., Monday Through Saturday - Establish
Sixth Street, west side, between Folsom and Harrison Streets (change in time limit only).

One-Hour Parking Time Limit, 7 a.m. - 6 p.m., Monday Through Saturday - Rescind
Two-Hour Parking Time Limit, 7 a.m. - 6 p.m., Monday Through Saturday - Establish
Sixth Street, east side, between Folsom and Harrison Streets (change in time limit only).

Perpendicular (90-Degree Angle) Parking - Establish
Castro Street, east side, between Twenty-Eighth and Valley Streets.

Tow-Away, No Parking, 8 a.m. - 3 p.m., Thursdays and Fridays, Except SFUSD Mobile Classrooms - Rescind
Tow-Away, No Parking, 8 a.m. - 3 p.m., Tuesdays and Wednesdays, except SFUSD Mobile Classrooms - Establish
Treat Avenue, west side, from 245 feet to 277 feet south of Precita Avenue (32-foot zone, change in effective days only).

Note: The following items are part of the improvements for the Bayshore Boulevard and Cesar Chavez Street corridors:

Diagonal (60-Degree Angle) Parking - Establish
Barneveld Avenue, east side, from Jerrold Avenue to 169 feet southerly (169-foot zone accommodating fifteen parking stalls).

Barneveld Avenue, west side, from 203 feet to 235 feet north of McKinnon Street (32-foot zone between driveways accommodating two parking stalls).

Perpendicular (90-Degree Angle) Parking - Establish
Barneveld Avenue, east side, from McKinnon Street to 355 feet northerly (355-foot zone accommodating twenty-two parking stalls).

Barneveld Avenue, west side, from McKinnon Street to 169 feet northerly (169-foot zone accommodating thirteen parking stalls).

(d) File 20-96-8. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations, various locations. (DPT Order No. 1069.) (Department of Parking and Traffic)

No U-Turns - Establish
Lincoln Way, westbound, at Twentieth Avenue.

Multiple Turn Lanes - Rescind
Right Lane Must Turn Right - Rescind
Folsom Street, eastbound, at First Street.

No Right Turns, 7:30 a.m. - 8:30 a.m. and 2:00 p.m. - 3:30 p.m., School Days - Establish
Webster Street, southbound, at Broadway.

One-Way Street - Rescind
Berry Street, eastbound, between Third and Fourth Streets.

Tow-Away, No Stopping Anytime - Establish
Berry Street, north side, between Third and Fourth Streets.

Berry Street, south side, from Fourth Street to 130 feet westerly (130-foot zone).

Battery Street, east side, from The Embarcadero to 40 feet southerly (40-foot zone).

Tow-Away, No Stopping, 3 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping Anytime - Establish
Front Street, east side, from Market Street to 80 feet northerly (80-foot zone).

Diamond Lane, 7 a.m. - 7 p.m., Everyday - Establish
Stockton Street, west curb lane, between Geary and O'Farrell Streets.

Tow-Away, No Stopping, 4 p.m. - 6 p.m., Monday Through Saturday - Rescind
Tow-Away, No Stopping, 7 a.m. - 7 p.m., Everyday - Establish
Stockton Street, west side, from Geary Street to 142 feet southerly (142-foot zone, change in effective days and hours).

Tow-Away, No Stopping Anytime - Rescind
Clay Street, north side, from the east property line of Davis Street to 75 feet easterly (75-foot zone, adds three meter stalls).

Tow-Away, No Stopping Anytime - Rescind
Washington Street, north side, from the west property line of Davis Street to 150 feet easterly (150-foot zone, adds six meter stalls).

Note: The following items are part of the improvements for the Bayshore Boulevard and Cesar Chavez Street corridors:

Left Lane Must Turn Left – Establish
Bayshore Boulevard, southbound, at turnaround, approximately 450 feet south of Jerrold Avenue.

No Turn on Red – Establish
Bayshore Boulevard, northbound, at Jerrold Avenue.

Jerrold Avenue, westbound, at Bayshore Boulevard.

Right Turn Onto Freeway Only – Establish
Marin Street, westbound, at Bayshore Boulevard.

Tow-Away, No Stopping Anytime – Establish
Bayshore Boulevard, east side, between Jerrold Avenue and Marin Street.

Bayshore Boulevard, east side, from Jerrold Avenue to 510 Feet southerly (510-foot zone).

(e) File 20-96-9. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations, various locations. (DPT Order No. 1079.) (Department of Parking and Traffic)

Diamond Lane, 7 a.m. – 9 a.m. and 3 p.m. – 7 p.m., Monday Through Friday – Establish
Bush Street, south curb lane, between Battery and Montgomery Streets.

Tow-Away, No Stopping, 7 a.m. – 6 p.m., Monday Through Friday – Rescind
Tow-Away, No Stopping, 7 a.m. – 7 p.m., Monday Through Friday – Establish
Bush Street, north side, between Battery and Montgomery Streets (to extend evening tow-away to 7 p.m.).

Tow-Away, No Stopping, 7 a.m. – 9 a.m. and 3 p.m. – 6 p.m., Monday Through Friday – Rescind
Tow-Away, No Stopping, 7 a.m. – 9 a.m. and 3 p.m. – 7 p.m., Monday Through Friday – Establish
Bush Street, south side, between Montgomery and Sansome Streets (to extend evening tow-away to 7 p.m.).

(f) File 40-96-13. [Residential Parking "O," West Portal/St. Francis] Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood Area and adding Santiago Street, between Seventeenth and Eighteenth Avenues, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(g) File 40-96-14. [Residential Parking Area "A," Telegraph Hill] Resolution amending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill Area by adding Lot 21 of Block 024 (1325 Columbus Avenue). (Department of Parking and Traffic)

(h) File 40-96-15. [Residential Parking Area "S," Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Page Street, between Laguna and Octavia Streets, both sides, and Rose Street, between Laguna and Octavia Streets, north side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(i) File 40-96-16. [Residential Parking Area "I," Bartlett Street] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding Capp Street, between Nineteenth and Twentieth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(j) File 19-96-10. [Tour Bus Parking, Powell Street/Van Ness Avenue] Hearing to consider establishing Tour Bus Parking Only, Two-Hour Time Limit, 10 a.m. to 5 p.m., Everyday (90-Day Trial Period), at Powell Street, west side, between The Embarcadero and Beach Street; and Van Ness Avenue, median parking area, between North Point and Beach Streets. (DPT Order No. 1098.) (Department of Parking and Traffic)

ACTION: Items (a), (b), (h) and (j) removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 18-96-8.1. Hearing held. Department of Parking and Traffic recommendation recommended. Combined with File 18-96-10.

b. File 18-96-10. Department of Parking and Traffic recommendations recommended. File 18-96-8.1 combined herewith. Resolution prepared in and reported out of Committee entitled: "[Stop Intersections] Resolution designating certain intersections as 'stop' intersections." Recommended.

c. File 19-96-9. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Parking Regulations] Enacting and rescinding parking regulations at various locations." Recommended.

d. File 20-96-8. Department of Parking and Traffic recommendations recommended. Combined with File 20-96-9.

e. File 20-96-9. Department of Parking and Traffic recommendations recommended. File 20-96-8 combined herewith. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting and rescinding traffic regulations on various streets." Recommended.

f. File 40-96-13. Recommended.

g. File 40-96-14. Recommended.

h. File 40-96-15. Hearing held. Recommended.

i. File 40-96-16. Recommended.

j. File 19-96-10. Hearing held. Filed.

REGULAR CALENDAR

2. File 18-96-9. [Stop Intersection, Clay and Locust Streets] Resolution designating Clay Street and Locust Street as an all-way "stop" intersection. (Supervisor Shelley)

   ACTION: Hearing held. Recommended.

3. File 124-96-6. [Speed Limits] Ordinance amending Traffic Code by adding Sections 176.40 and 176.41, adding King Street, between Third and Townsend Streets, and The Embarcadero, between Townsend and Folsom Streets, to the list of streets upon which a 35-MPH speed limit shall apply. (Department of Parking and Traffic)

   ACTION: Hearing held. Recommended.

4. File 223-96-19. [Liquor License, 1050 Van Ness Avenue] Hearing to consider that the issuance of an off-sale beer and wine license to Leonardo Calderon for Golden Gate Gift Shop, located inside the Richelieu Hotel at 1050 Van Ness Avenue, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Leonardo Calderon, Gift Shop Owner.
   (Consideration continued from 6/6/96)

   ACTION: Hearing held. Resolution prepared in and reported out of Committee denying request entitled: "Opposing the request for the issuance of an off-sale beer and wine license to Leonardo Calderon for Golden Gate Gift Shop, located inside the Richelieu Hotel at 1050 Van Ness Avenue, and determining that it will not serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

5. File 223-96-23. [Liquor License Transfer, 642 Irving Street] Hearing to consider that the transfer of a Type 48 on-sale general public premise liquor license from Umbertos Restaurants, Inc., located at 141 Steuart Street, to Massoud H. Ghadjar for The Silver Comet, located at 642 Irving Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Massoud H. Ghadjar.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee denying request entitled: "Opposing the request for the transfer of a Type 48 on-sale general public premise liquor license from Umbertos Restaurants, Inc., located at 141 Steuart Street, to Massoud H. Ghadjar for The Silver Comet, located at 642 Irving Street, and determining that it will not serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

6. File 223-96-24. [Liquor License Transfer, 3391 Mission Street] Hearing to consider that the transfer of a Type 20 off-sale beer and wine license to Joaquin Osorio, from a store located at 3216 Mission Street to 3391 Mission Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Joaquin Osorio.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the transfer of a Type 20 off-sale beer and wine license to Joaquin Osorio, from a store located at 3216 Mission Street to 3391 Mission Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions." Recommended.

7. File 36-96-7. [Zoning Map Amendment, 901 Polk Street] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located at 901 Polk Street at O'Farrell from a NC-3 District to Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 81-96-2.1. (Planning Department)

   (Approved by City Planning Resolution No. 14125, adopted 6/6/96.)

   ACTION: Consideration continued to August 1, 1996, meeting.

8. File 81-96-2. [Findings, 1000 Van Ness Avenue/901 Polk Street] Resolution incorporating by reference findings made by the San Francisco City Planning Commission and adopting findings pursuant to the California Environmental Quality Act relating to the construction of a mixed-used development project at 1000 Van Ness Avenue/901 Polk Street, as analyzed in the Final Environmental Impact Report, Case No. 94.618E; companion measure to Files 81-96-2.1 and 37-96-7. (Planning Department)

   ACTION: Consideration continued to August 1, 1996, meeting.

9. File 81-96-2.1. [Van Ness Special Use District] Ordinance amending Planning Code by amending Sections 243 and 607.3 to allow for the replacement and/or restoration of signs on designated landmarks within the Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 81-96-2.1. (Planning Department)

   (Approved by City Planning Resolution No. 14126, adopted 6/6/96.)

   ACTION: Consideration continued to August 1, 1996, meeting.

10. File 24-96-4. [Appeal, Sidewalk Encroachment, 2941 Clay Street] Communication received from Peter J. Van Eekelen, appealing decision of the Chief, Street-Use and Mapping, Department of Public Works, in its letter dated June 6, 1996, disapproving Minor Encroachment Permit to construct a warped driveway ramp and planter boxes on the sidewalk fronting the property at 2941 Clay Street.

    ACTION: Consideration continued to August 1, 1996, meeting.

11. File 34-96-6. [Changing Width of Sidewalk, Steuart Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1526 changing the official sidewalk width on the easterly side of Steuart Street between Mission Street and Howard Street, as shown on the Department of Public Works drawing labeled Q-20-437 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

    ACTION: Consideration continued to August 1, 1996, meeting.

12. File 36-96-6. [Zoning Map Amendment, 1306 Portola Drive] Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property generally described as 1306 Portola Drive, Assessor's Block 2987, Lot 4, to remove a 15-foot legislated setback in an RH-1(D) (House, One-Family, Detached) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

    (Approved by City Planning Resolution No. 14129, adopted 6/6/96).
    (Exempt from environmental review as listed under Provision 5(a) of the State Guidelines for the implementation of the California Environmental Quality Act).

    ACTION: Consideration continued to August 1, 1996, meeting.

13. File 114-96-1. [Military Bases - Building Code Requirements] Ordinance amending Building Code by adding Section 3406 to implement California Health and Safety Code Section 18941.7, which authorizes the City under specified conditions to allow a building or other structure located on a military base selected for closure to comply with Building Code requirements in a graduated manner over a period of no more than 10 years. (Supervisor Shelley)

    ACTION: Consideration continued to the Call of the Chair.

14. File 255-96-1. [Mission Bay North Survey Area] Resolution designating and describing the Mission Bay North Survey Area in accordance with the California Community Redevelopment Law. (Also see Files 255-90-5, 255-90-6, and 255-90-2.) (Redevelopment Agency)

    ACTION: Hearing held. Consideration continued to August 1, 1996, meeting.

15. File 47-96-8. [Port Parking Garage, Mid-Embarcadero Project] Resolution endorsing, as in the public interest, of an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage. (Also see File 85-95-5.) (Chief Administrative Officer)

    ACTION: Hearing held. Consideration continued to August 15, 1996, meeting.

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

July 30, 1996

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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: August 1, 1996 Housing and Land Use Committee Meeting

Item 2 - File 255-96-1

Note: This item was continued by the Housing and Land Use Committee at its meeting of July 18, 1996.

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution designating and describing Mission Bay North as a Survey Area in accordance with the California Community Redevelopment Law.

Description: The proposed resolution would designate a survey area in order to study the feasibility of a redevelopment effort in the Mission Bay area. A survey area is land designated for analysis to determine its redevelopment feasibility, and designation as a survey area is a necessary first step in including real property in a redevelopment project area.

The land proposed to be designated as a survey area, to be known as Mission Bay North, is generally bounded by Seventh Street to the southwest, Townsend Street to the northwest, Third Street to the northeast, and the China Basin Channel to the southeast (see attached map).

The total area of the proposed Survey Area is approximately 65 acres. This land, which had been previously owned by the Southern Pacific and Santa Fe Railroads, is now primarily owned by Catellus Development Corporation. The property consists of vacant land and abandoned industrial space.

Designation of this site as a survey area is a required first step in evaluating the redevelopment potential of the area. If the proposed resolution were approved, the Redevelopment Agency would then (a) study the area to determine if it meets the criteria for use of redevelopment authority and (b) develop a Preliminary Plan, which would incorporate the City's vision for the area, the zoning and use of the land and the economic development necessary for a redevelopment plan to be realized. Once the Preliminary Plan was completed, it would be submitted to the City Planning Commission for a determination as to whether the Preliminary Plan conforms to the City's General Plan (formerly the Master Plan). In addition, an Environmental Impact Report (EIR) would be developed for the project. Both the Final Redevelopment Plan and the EIR would then be submitted to the Board of Supervisors for approval.

Comment:

1. In 1991, the City entered into a Development Agreement with Catellus which provided for the development of a mixed use office, residential and retail project in an approximately 315-acre area north and south of the China Basin Channel. However, Catellus independently determined that development of the program provided for in the Development Agreement was not economically feasible. As a result, on April 14, 1996, Catellus exercised its contractual right to terminate the Development Agreement.

2. According to Mr. Tom Conrad of the Redevelopment Agency, one of the purposes of designating the proposed area as a survey area is to examine the use of the Redevelopment Agency's authority primarily to assist in financing (through tax increment funds) the costs of installing infrastructure and constructing affordable housing in the Mission Bay North area. A reformulated development plan, based on the original development plan called for in the above-noted Development Agreement, would be developed through a coordinated effort between Catellus and the Redevelopment Agency. The Redevelopment Agency advises that this reformulated development plan could produce as much as 3,000 units of rental and condominium housing (including at least 300 units of affordable housing), retail and

entertainment uses and open space in the proposed Mission Bay North Survey Area. Mr. Conrad advises that the Redevelopment Plan will be submitted for approval to the Redevelopment Commission and the Board of Supervisors upon its completion.

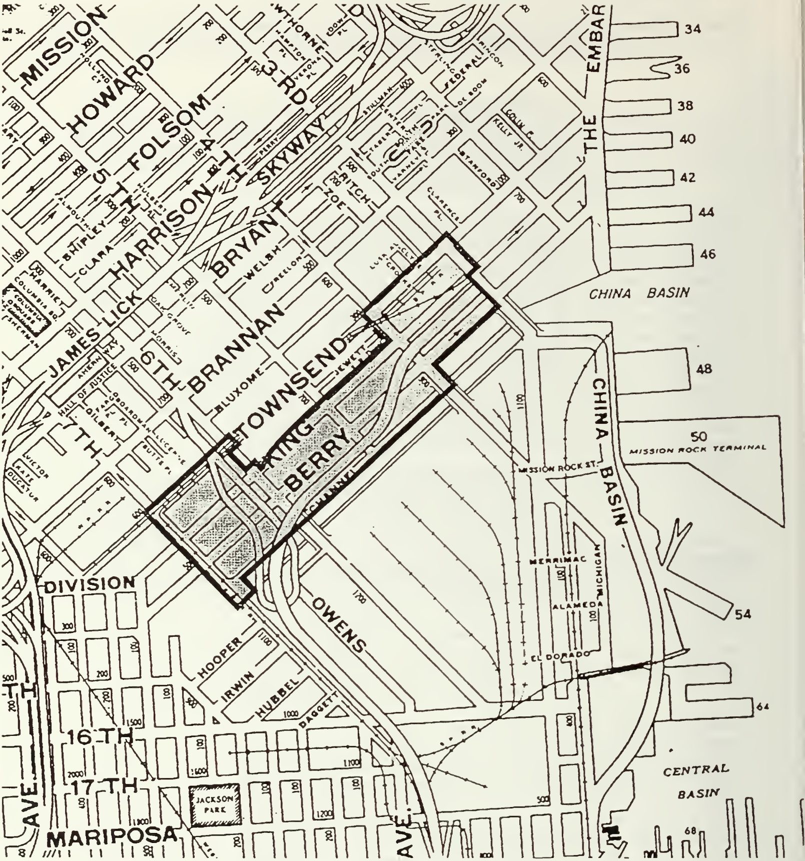
2. Mr. Bob Gamble of the Redevelopment Agency reports that development of the Redevelopment Plan and EIR for the proposed Mission Bay North Survey Area would take approximately two years and would cost approximately $1.6 million. Of this $1.6 million, $794,000 has been included in the Redevelopment Agency's FY 1996-97 budget. Mr. Gamble reports that funds for the remaining cost of approximately $806,000 will be requested in the Redevelopment Agency's FY 1997-98 budget. Mr. Gamble further advises that the Redevelopment Agency will be reimbursed by Catellus for all costs associated with the development of the Redevelopment Plan and EIR for the proposed Mission Bay North Survey Area.

3. Mr. Gamble advises that an estimate of the market value of the land in the proposed Mission Bay North Survey Area is not yet available but will be determined upon completion of the Redevelopment Plan for the proposed survey area.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

BOARD OF SUPERVISORS
BUDGET ANALYST

Attachment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RINCON
STERLING
COLIN P. KELLY JR.
SOUTH PARK
SHERMAN
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COLUMBIA SQ.
GILBERT
BOARDMAN
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DECATUR

PROPOSED
MISSION BAY - NORTH OF CHANNEL
REDEVELOPMENT SURVEY AREA

SAN FRANCISCO REDEVELOPMENT AGENCY • TSD/ET • 5-2-96

Not to Scale

Item 4 - File 34-96-6

Note: This item was continued by the Housing and Land Use Committee at its meeting of July 18, 1996.

Department: Department of Public Works (DPW)

Item: Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1526 changing the official sidewalk width on the east side of Steuart Street between Mission and Howard Streets, and making finding pursuant to Planning Code Section 101.1.

Description: The proposed ordinance would authorize the widening of the sidewalk width at the above-noted site to accommodate plans by the Steuart Street Association, a group of property owners and tenants located on Steuart Street, to create additional sidewalk space, approximately 28.5 feet wide and 580 feet long, along the east side of Steuart Street to accommodate trees and street lights, a pedestrian promenade and sidewalk cafes where desired by fronting restaurant owners/property owners.

Ms. Denise Brady of the DPW, reports that the Steuart Street Association estimates that the proposed changes to the sidewalk, would be approximately $1 million. According to Ms. Brady, such costs would be paid for entirely by the Steuart Street Association, at no cost to the City.

Comments: 1. According to the proposed ordinance, the Planning Department has declared that the change of the official sidewalk width at the Steuart Street site is in conformity with the Master Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1

2. Ms. Brady advises that following authorization to widen the sidewalk, the Steuart Street Association would develop a construction and design plan for the project to be submitted for review and approval by the DPW at a future date.

3. Ms. Brady advises that, as of the writing of this report, the fees to be charged to the Steuart Street Association, in connection with the above-noted project have not yet been determined, but will primarily be based on the area being zoned for sidewalk cafe space. According to Ms. Brady, because the size of the proposed sidewalk cafe area, would be considerably larger than the typical sidewalk cafe space, the DPW may charge fees that are higher than the standard fee

charged for sidewalk cafe space. The standard fee for sidewalk cafe space is $36 per seat per year, with an annual minimum fee of $100 and an annual maximum fee of $360.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Controller
Margaret Kisliuk
Paul Horcher
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CALENDAR

Action Taken

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, AUGUST 1, 1996 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng, Amos Brown

ABSENT: Supervisor Teng - For Vote on Item 9

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-11. [Stop Intersection, Various Locations] Hearing to consider establishment and revocation of Stop Signs at various locations. (DPT Order No. 1088.) (Department of Parking and Traffic)

Stop Signs - Establish
Colin P. Kelly, Jr. and Townsend Streets, northwest corner, stopping Colin P. Kelly, Jr. Street traffic (stops the stem of this T-intersection).

Leavenworth and Vallejo Streets, northwest and southeast corners, stopping Leavenworth Street traffic (makes this an all-way stop).

Twenty-Third and Utah Streets, northeast and southwest corners, stopping Twenty-Third Street traffic (makes this T-intersection an all-way stop).

Stop Signs - Rescind
South Van Ness Avenue and Howard Street, northwest corner, stopping southbound South Van Ness Avenue traffic.

South Van Ness Avenue and Howard Street, stopping northbound left turns on South Van Ness Avenue.

(b) File 20-96-10. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations at various locations. (DPT Order No. 1088.)

Right Turn Only - Establish
Howard Street, westbound, at South Van Ness Avenue.

Multiple Turn Lanes – Establish
Randall Street, westbound, at San Jose Avenue.

No Left Turn, 4 P.M. – 6 P.M., Monday Through Saturday – Rescind
No Left Turn, 3 P.M. – 7 P.M., Monday Through Friday, Except Emergency Vehicles – Establish
Sixth Street, northbound, at Ahern Way.

(c) File 40-96-17. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Sanchez Street, between Eighteenth and Hancock Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(d) File 40-96-18. [Residential Parking Area "U", South of Market] Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area to include Block 3763, Lot 8 (414 Bryant Street). (Department of Parking and Traffic)

(e) File 40-96-19. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding Belvedere Street, between Grattan and Alma Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION: Item (b) removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 18-96-11. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Stop Intersections] Resolution designating certain intersections as 'stop' intersections." Recommended.

b. File 20-96-10. Hearing held. Question divided. Question on establishing multiple turn lanes on Randall Street severed and considered separately under File 20-96-10.1. Remainder of Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting and rescinding traffic regulations on various streets." Recommended.

File 20-96-10.1. Hearing held. Question of "Establishing multiple turn lanes on Randall Street, westbound, at San Jose Avenue" severed from File 20-96-10 and considered separately under File 20-96-10.1. Tabled.

REGULAR CALENDAR

2. File 255-96-1. [Mission Bay North Survey Area] Resolution designating and describing the Mission Bay North Survey Area in accordance with the California Community Redevelopment Law. (Also see Files 255-90-5, 255-90-6, and 255-95-2.) (Redevelopment Agency)
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Recommended.

3. File 24-96-4. [Appeal, Sidewalk Encroachment, 2941 Clay Street] Communication received from Peter J. Van Eekelen, appealing decision of the Chief, Street-Use and Mapping, Department of Public Works, in its letter dated June 6, 1996, disapproving Minor Encroachment Permit to construct a warped driveway ramp and planter boxes on the sidewalk fronting the property at 2941 Clay Street.
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Motion prepared in and reported out of Committee. Entitled: "[Denying Encroachment Permit - 2941 Clay Street] Upholding the decision by the Department of Public Works, which denied the issuance of a Minor Sidewalk Encroachment Permit to allow the construction of a warped driveway ramp and planter boxes on the sidewalk fronting the property at 2941 Clay Street, which ramp and boxes would encroach into the public right-of-way fronting the subject property, and denying the issuance of the requested Minor Encroachment Permit for the property at 2941 Clay Street." Recommended.

4. File 34-96-6. [Changing Width of Sidewalk, Steuart Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1526 changing the official sidewalk width on the easterly side of Steuart Street between Mission Street and Howard Street, as shown on the Department of Public Works drawing labeled Q-20-437 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Recommended.

5. File 36-96-6. [Zoning Map Amendment, 1306 Portola Drive] Ordinance amending Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property generally described as 1306 Portola Drive, Assessor's Block 2987, Lot 4, to remove a 15-foot legislated setback in an RH-1(D) (House, One-Family, Detached) District and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)
   (Approved by City Planning Resolution No. 14129, adopted 6/6/96).
   (Exempt from environmental review as listed under Provision 5(a) of the State Guidelines for the implementation of the California Environmental Quality Act).
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Recommended.

6. File 36-96-7. [Zoning Map Amendment, 901 Polk Street] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located at 901 Polk Street at O'Farrell from a NC-3 District to Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 81-96-2.1. (Planning Department)
   (Approved by City Planning Resolution No. 14125, adopted 6/6/96.)
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Amended on page 1, line 5, by replacing "Van Ness Special Use District," with "RC-4 and Van Ness Special Use Districts." Consideration continued to Special Meeting of August 9, 1996, at 10 a.m.

7. File 81-96-2. [Findings, 1000 Van Ness Avenue/901 Polk Street] Resolution incorporating by reference findings made by the San Francisco City Planning Commission and adopting findings pursuant to the California Environmental Quality Act relating to the construction of a mixed-used development project at 1000 Van Ness Avenue/901 Polk Street, as analyzed in the Final Environmental Impact Report, Case No. 94.618E; companion measure to Files 81-96-2.1 and 36-96-7. (Planning Department)
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Consideration continued to Special Meeting of August 9, 1996, at 10 a.m.

8. File 81-96-2.1. [Van Ness Special Use District] Ordinance amending Planning Code by amending Sections 243 and 607.3 to allow for the replacement and/or restoration of signs on designated landmarks within the Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 36-96-7. (Planning Department)
   (Approved by City Planning Resolution No. 14126, adopted 6/6/96.)
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Consideration continued to Special Meeting of August 9, 1996, at 10 a.m.

9. File 200-96-7. [Barbary Coast Trail] Resolution designating 3.8 miles of public rights of way between the Old Mint at Fifth and Mission Streets and Aquatic Park as eligible for installation of commemorative plaques, pursuant to Public Works Code Section 789.2(a), in order to identify points of interest along the historic trail to be known as the Barbary Coast Trail. (Supervisors Kaufman, Alioto, Bierman)

   ACTION: Hearing held. Amendment of the Whole bearing same title, as presented by Supervisor Kaufman, adopted. Recommended as amended. (Supervisor Teng added as co-sponsor.)

10. File 109-96-2. [Rental Unit Occupancy by Landlord or Relative] Ordinance amending Administrative Code Section 37.9 governing when a landlord may recover possession of a rental unit for occupancy by the landlord or a relative; increasing to 36 months the period of time the landlord or family member must intend to reside in the unit and creates rebuttable presumption; increases from 25% to 50% ownership interest in the property and restricts move-in by relatives; establish tenant rights in evictions, relocation and reoccupancy; prohibits move-in where tenants age 62 or older who have been in the building ten years reside; reinstatement of previous rent after landlord or relative vacates; establishes penalty and civil action. (Supervisors Yaki, Bierman, Ammiano, Teng, Katz)

ACTION: Hearing held. Consideration continued to the Call of the Chair.

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CALENDAR

Action Taken

* SPECIAL MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

FRIDAY, AUGUST 9, 1996 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng, Amos Brown

ABSENT: Supervisor Teng - For Vote on Items 1 - 3

CLERK: Gail Johnson

1. File 81-96-2. [Findings, 1000 Van Ness Avenue/901 Polk Street] Resolution incorporating by reference findings made by the San Francisco City Planning Commission and adopting findings pursuant to the California Environmental Quality Act relating to the construction of a mixed-used development project at 1000 Van Ness Avenue/901 Polk Street, as analyzed in the Final Environmental Impact Report, Case No. 94.618E; companion measure to Files 81-96-2.1 and 36-96-7. (Planning Department)

   (Consideration continued from 8/1/96)

   ACTION: Hearing held. Recommended. (To Board as a Committee Report for consideration on August 9, 1996.)

2. File 36-96-7. [Zoning Map Amendment, 901 Polk Street] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located at 901 Polk Street at O'Farrell from a NC-3 District to RC-4 and Van Ness Special Use Districts; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 81-96-2.1. (Planning Department)

   (Approved by City Planning Resolution No. 14125, adopted 6/6/96.)
   (Consideration continued from 8/1/96)

   ACTION: Hearing held. Recommended. (To Board as a Committee Report for consideration on August 9, 1996.)

3. File 81-96-2.1. [Van Ness Special Use District] Ordinance amending Planning Code by amending Sections 243 and 607.3 to allow for the replacement and/or restoration of signs on designated landmarks within the Van Ness Special Use District; adopting findings pursuant to City Planning Code Section 101.1; companion measure to Files 81-96-2 and 36-96-7. (Planning Department)

   (Approved by City Planning Resolution No. 14126, adopted 6/6/96.)
   (Consideration continued from 8/1/96)

   ACTION: Hearing held. Recommended. (To Board as a Committee Report for consideration on August 9, 1996.)

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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August 13, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: August 15, 1996 Housing and Land Use Committee Meeting

Item 2 - File 47-96-8

Note: This item was continued by the Housing and Land Use Committee at its meeting of 7/18/96.

Department: Port of San Francisco
Waterfront Transportation Projects Office of the Mayor's Office

Item: Resolution preliminarily endorsing, as in the public interest, an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port of San Francisco and the Waterfront Transportation Projects Office of the Mayor's Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage.

Description: The Embarcadero and Terminal Separator segments of the I-480 freeway were badly damaged in the 1989 Loma Prieta earthquake, and were subsequently removed by the California Department of Transportation (Caltrans). In January 1996, the Board of Supervisors adopted Resolution 100-96 endorsing the Department of Parking and Traffic (DPT) Variant with a Mid-Embarcadero Split Roadway as the preferred alternative for the Mid-Embarcadero/Terminal Separator Structure Replacement Project. The Mid-Embarcadero/Terminal Separator Structure Replacement Project is the central link necessary to complete the Embarcadero Roadway and the Waterfront Transportation Projects, which extend from Fisherman's Wharf to Sixth and Berry Streets. The Mid-Embarcadero Replacement Project covers the Embarcadero from Folsom Street to Broadway Street. The Final Environmental Impact Statement and Final Environmental Impact Report (FEIS/FEIR) for the Project, which is tentatively scheduled for publication in August 1996, incorporate the DPT Variant.

The DPT Variant for the Mid Embarcadero/Terminal Separator project includes the following major elements:

- The Embarcadero from Howard to Broadway would be a four lane roadway, plus two additional lanes for parking that would be cleared for traffic to make six lanes during peak hours, with the F-line MUNI running in its median area, and bicycles lanes on both sides. The southbound roadway would curve westward in front of the Ferry Building to accommodate a central plaza;

- The Embarcadero roadway from Folsom to Howard would be realigned to accommodate Rincon Park;

- The Fremont Street off-ramp from the freeway would be realigned southward to touch down at Folsom and Fremont Streets, the Fourth Street off-ramp would be widened, and the two freeway on-ramps at Sterling and Essex Streets would, at a later date, be made flexible to accommodate either carpool lanes, or mixed use lanes, as required by traffic demand;

- A variety of lane changes, re-striping of the roadways, and signage changes would be carried out to improve traffic flows throughout the area.

Currently there are 135 on-street parking spaces and 423 off-street parking spaces on the Embarcadero between Folsom Street and Broadway under Port jurisdiction, for a total of 558 parking spaces. Approximately 44 percent, or 246 of the parking spaces, are operated for short-term use and serve tenants and visitors to the Ferry Building. The remaining 56 percent, or 312 spaces, operate as long-term parking, leased to Port and non-Port tenants. The Port receives approximately $700,000 in annual revenues from these parking spaces.

After construction of the Mid-Embarcadero Replacement Project, there will be 219 on-street parking spaces and no off-street spaces in the Embarcadero roadway area, for a net loss 339 spaces. This reduction in parking spaces would be in addition to the 628 spaces lost along the waterfront as a result of the North and South Embarcadero Roadway Projects, for a total net loss of 967 parking spaces. The Memorandum of Agreement for the North and South Embarcadero Projects, signed by departments in 1991, stipulated that the Office of the Chief Administrative Officer (CAO) and other City Departments pursue construction of a parking garage as part of the Mid-Embarcadero Project. In return, the Port agreed to proceed with construction of the North and South Embarcadero Projects.

To replace the parking loss resulting from the implementation of the Mid-Embarcadero project, the proposed legislation would endorse the construction of a subsurface parking garage of up to 350 spaces on the southern half of Block 202, bounded by Clay Street, Washington Street, Drumm Street, and Justin Herman Plaza (See Attachment I). This parking garage would be part of the Mid-Embarcadero Replacement Project and would be operated primarily as a short-term parking facility by the Port.

The Waterfront Transportation Projects Office did not seek endorsement of the proposed replacement parking coincident with the DPT Variant due to insufficient information on costs and financing. The project sponsors are requesting a *preliminary* endorsement of the underground parking garage proposal at this time, prior to certification of the FEIS/FEIR, to allow staff to submit a complete project and financing recommendation for the Mid-Embarcadero/Terminal Separator Structure Replacement Project to the Port, Transportation, Art, Redevelopment, and Planning Commissions and to the Board of Supervisors this fall for final approval.

The property proposed to be used for the development of a replacement parking facility, the southern half of Block 202, was previously occupied by the Clay/Washington freeway ramps. These ramps were removed as a result of the demolition of the Embarcadero Freeway. Senate Bill 181, which transferred ownership of these parcels to the City, stipulated that the parcels were to be used for transportation purposes or the proceeds from the sale of the parcels were to be used for transportation purposes.

Comments:

1. The Port Commission preliminarily endorsed the underground parking garage of approximately 350 parking spaces on the southern half of Block 202 at its meeting of July 9, 1996.

2. The parking garage is proposed to be located underground on the southern half of Block 202, which is currently under the jurisdiction of the Department of Real Estate. Ownership of the parcel was transferred from Caltrans to the City in December of 1994, following the removal of the Embarcadero Freeway. According to Ms. Rebecca Kohlstrand of the Waterfront Transportation Projects Office, a preliminary layout for the parking facility indicates that a two story underground garage of approximately 350 spaces could be constructed on the southern half of Block 202. Access to the garage would be from Drumm Street. Ms. Kohlstrand advises that the garage could be constructed in a manner which would enable development of a park or a structure above it should the City decide to allow development on a portion of Block 202 in the future.

The northern half of Block 202 is under the jurisdiction of the Recreation and Parks Department and is used as a park area. Ms. Kohlstrand advises that the parking garage would not infringe on the existing park area.

3. Ms. Kohlstrand advises that several sites were evaluated in the vicinity of the Ferry Building for the location of the replacement parking garage. Block 202 was determined to be the most viable location due to its proximity to the Ferry Building due to circulation considerations.

4. The Port would assume responsibility for the design and construction of the parking garage

5. The estimated cost of the Mid-Embarcadero/Terminal Separator DPT Variant is currently $99.8 million, including demolition, design and construction costs of approximately $71.9 million, which includes the approximate cost of $23 million for the proposed Port underground parking garage. The Waterfront Transportation Projects Office is currently seeking Federal Emergency Relief (ER) funds for the DPT Variant, including funding for a Port replacement garage.

6. Federal regulations require that projects seeking ER funding restore traffic service at a level comparable to the service which was provided prior to the earthquake. According to Ms. Kohlstrand, the DPT Variant has been determined by the Federal Highway Administration (FHWA) to be eligible for ER funding. Ms Kohlstrand advises that the City has requested that the FHWA make a preliminary response with respect to the extent to which the proposed underground parking garage would be eligible for ER funding.

7. Ms. Kohlstrand advises that the current estimated cost of $23 million for constructing an underground parking garage at the proposed site is relatively high due to the high cost of underground construction at the waterfront, and due to the estimated cost of toxic clean-up. Ms. Kohlstrand advises that compensating the Port directly for the value of its lost off-street parking property, currently estimated at $6 million to $10 million by the Department of Real Estate, may be less costly than the $23 million estimated cost to construct a 350 space underground parking garage, but that the replacement parking is needed to support the future renovation of the Ferry Building, in order to provide adequate access to the waterfront, and to provide an ongoing source of Port revenue which the Port estimates at $1.5 million annually from the 350 space parking garage.

8. As noted above, the overall cost to build the DPT Variant is estimated at approximately $99.8 million. According to Ms. Kohlstrand, the Mid-Embarcadero area is eligible for up to $58.5 million in ER funding, and the Terminal Separator structure is eligible for up to $61 million in ER funding, for a total of up to $119.5 million in available ER funding. Currently, only $65.3 million of ER funding has actually been obligated by FHWA and Caltrans to the Mid-Embarcadero and Terminal Separator projects. Use of ER funding also requires a 15 percent match of local funds. Ms. Kohlstrand advises that after the portions of the DPT Variant which are not eligible for ER funding are excluded, the local match share of the project cost will be approximately 25 to 30 percent of $99.8 million, or up to an estimated maximum of approximately $30 million. The $30 million local match requirement includes an estimated $7 million requirement from the Port, which is considering issuing revenue bonds to fund its local match share. The DPT Variant can be funded with ER funds, and local matching funds, through a combination of State ER funds, Flexible Congestion Relief funds, San Francisco Proposition B Sales Tax funds, and funds from the sale of land parcels at Clay Street, Washington Street, and Broadway which were made

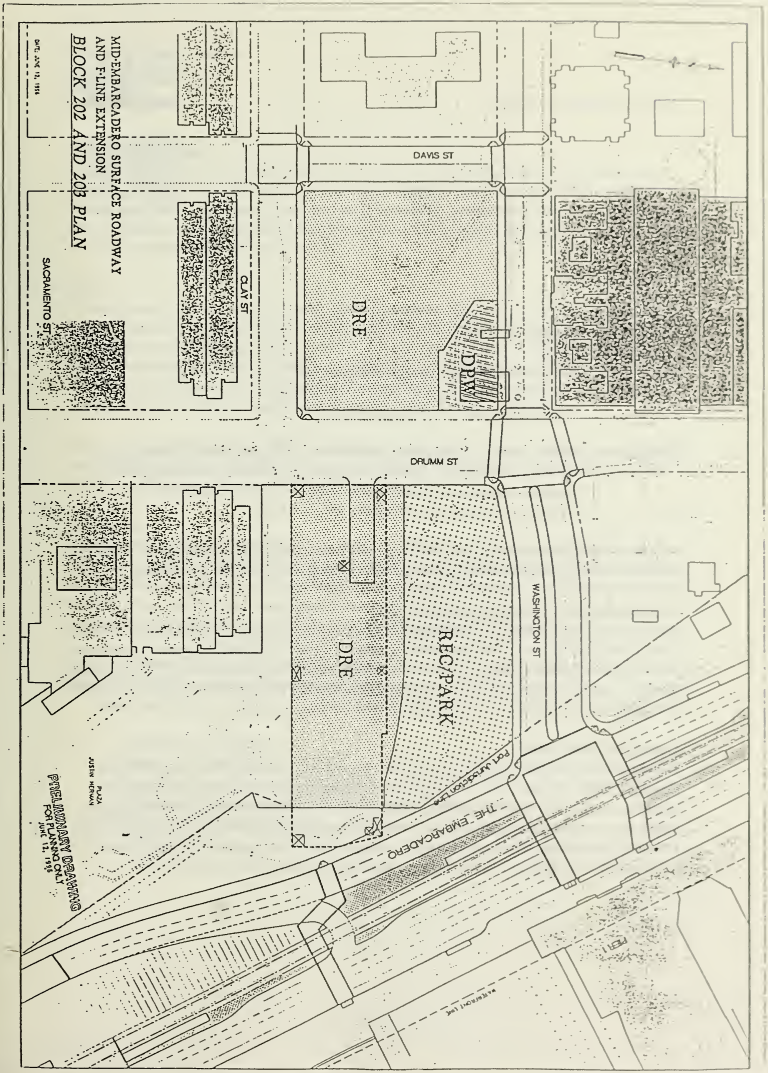
available for this purpose after the removal of the Embarcadero Freeway.

9. At the Housing and Land Use Committee Meeting of July 18, 1996, issues concerning preservation of access to and from Chinatown, the actual need for replacement underground parking (requires updated occupancy data for the surrounding garages), access to and egress from the proposed underground parking garage, and Project financing were discussed. Attachment II to this report is a memorandum concerning those issues from the Port's Project Manager, Mr. Paul Osmundson. Ms. Kohlstrand states that the Waterfront Transportation Projects Office will provide written information of the issues directly to members of the Housing and Land Use Committee.

10. In summary, the proposed legislation would 1) preliminarily endorse an underground parking garage of up to 350 spaces on the southern half of block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project, and 2) request the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project. In the future, the Waterfront Transportation Projects Office would still be required to obtain the approval of the Board of Supervisors for the FEIS/FEIR for the Mid-Embarcadero Replacement Project, which would include the subject 350 space underground parking garage proposal.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

EXHIBIT A Attachment I


MID-EMBARCADERO SURFACE ROADWAY
AND F-LINE EXTENSION
BLOCK 202 AND 203 PLAN
DATE: JUNE 12, 1996
SACRAMENTO ST
CLAY ST
DAVIS ST
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DRW
DRUMM ST
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REC/PARK
WASHINGTON ST
Port Jurisdiction Line
THE EMBARCADERO
PIER 1
JUSTIN HERMAN PLAZA
PRELIMINARY DRAWING
FOR PLANNING ONLY
JUNE 12, 1996

Attachment II
Page 1 of 2

PORT OF SAN FRANCISCO

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Writer

Memorandum

Date: **August 13, 1996**

To: **Stan Jones, Budget Analyst's Office**

From: **Paul Osmundson, Port of San Francisco**

Subject: **Issues raised at the July 18, 1996 Board of Supervisor's Housing and Land Use Committee meeting regarding a proposed underground parking garage on a portion of Block 202 as part of the Mid-Embarcadero Roadway Project (File 47-96-8)**

As you have requested, the Port is providing responses to several issues raised at the above referenced meeting of the Board of Supervisors Housing and Land Use Committee.

Parking occupancy in surrounding garages

As reported by Ms. Rebecca Kohlstrand, a parking occupancy survey conducted in 1994 as part of the EIS/EIR for the Embarcadero Roadway Project found that the weekday occupancy rate at existing parking garages within two blocks of the Ferry Building was **85%**. A recent informal poll just completed by Port staff indicates that the majority of the garages (with the exception of the Maritime Plaza garage) reported weekday occupancy rates of **over 90%**.

Impact on open space

As described at the July 18, 1996 meeting, the project will require several small vertical elements on the southern half of Block 202 for ventilation shafts, elevators and vehicle entrance ramps. The southern half of Block 202 would not be available for use during the construction of the garage, but would be improved as open space as part of the project. All construction staging for the garage would be done either on the southern half of Block 202 or off site, and would not utilize the open space on the northern portion of Block 202.

Memo to Budget Analyst
August 13, 1996
Page Two

Traffic Circulation

As part of the Mid-Embarcadero Roadway Project, Davis Street between Clay Street and Washington Street is proposed to be reopened to vehicular traffic. If this were to occur, Davis Street could be utilized for access to the garage by west bound vehicles on Washington Street. There is also the potential to allow access to the garage from vehicles traveling south on Drumm Street via a left turn lane.

Cost

The estimated cost of the underground parking garage is currently $23 million, according to the Department of Public Works. This estimate includes approximately $13 million for construction costs and $10 million for other, indirect costs related to the garage including design, contractor overhead, contingency and construction management. The Port believes that the cost of the garage could be reduced considerably by aggressively managing the design and construction process in the most cost effective manner possible.

The cost is much higher than other recently constructed above ground parking garages due to the high water table and the disposal cost of contaminated soils, but is comparable to other underground garages constructed in similar settings.

Financing

The project is proposed to be funded through a combination of Federal Highway Emergency Relief funds and Port bonds. The Port has conducted preliminary financial and feasibility analysis of the project and believes that the parking garage is feasible, assuming the receipt of the emergency relief funds. Additional financial and feasibility analyses will be more formally conducted in preparing for the issuance of any bonds for the project.

I hope that this additional information is useful in the preparation of your report. Please call me at 274-0546 if you have any other questions.

cc: Honorable Sue Bierman
Honorable Mabel Teng
Honorable Amos Brown
Rebecca Kohlstrand, Waterfront Transportation Projects
Stuart Sunshine, Mayor's Office

Item 8 - File 34-96-7

Department: Municipal Railway (MUNI)
Department of Public Works (DPW)
Department of City Planning

Item: Ordinance amending Ordinance No. 1061 of the Public Works Code entitled "Regulating the Width of Sidewalks" by adding Section No. 1527 to the Public Works Code changing the official sidewalk widths on (a) Church Street between 24th Street and Jersey Street, (b) Church Street between 24th Street and Elizabeth Street, (c) 24th Street at Church Street, (d) Church Street between 29th Street and Day Street, (e) Day Street at Church Street (f) Church Street between Day Street and 30th Street, (g) Taraval Street and 22nd Avenue, (h) 22nd Avenue between Santiago Street and Taraval Street, (i) Ocean Avenue at Ashton Avenue, and (j) San Jose Avenue North of Seneca Avenue collectively known as MUNI Keystop Phase "C", as shown on the Department of Public Works drawings labeled Q-20-446, Q-20-447, Q-20-449 through Q-20-456, inclusive and making findings pursuant to Planning Code Section 101.1.

Description: The proposed ordinance would narrow the sidewalk widths at the above mentioned sites to accommodate the implementation of MUNI boarding platforms and boarding islands for wheelchair-bound passengers along the J Church Line, the K Line and the N Line. The implementation of boarding platforms and the boarding islands is mandated by the Federal Americans with Disabilities Act. In order to install boarding islands and boarding platforms, the sidewalk portions adjacent to the boarding platforms and boarding islands will be narrowed between 31/2 feet and seven feet to continue to accommodate traffic flow and/or parking spaces.

According to the proposed ordinance, the Department of City Planning has declared that the change of the official sidewalk width is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

Comments: 1. Ms. Gail Bloom of MUNI advises that the proposed changes, which are estimated to cost $2 million, will be funded with Federal Transportation Administration capital grant funds, which have been allocated and are currently on reserve. Ms. Bloom advises that the release of the $2 million in reserved funds will be the subject of future legislation before the Board of Supervisors.

2. Mr. Mike Almasi of MUNI advises that the Department has issued an Invitation for Bids, but has not yet selected the contractors for the construction of the subject boarding platforms and boarding islands. Mr. Almasi advises that the contractors are expected to commence construction in approximately two months.

Recommendation: Approve the proposed ordinance.

Item 9 - File 10-96-6

Department: Department of Public Works (DPW)

Item: Granting revocable permission to the San Francisco Opera Association to temporarily close and occupy the Northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of constructing a loading dock to be used for loading and unloading operations for the Opera's productions at the Bill Graham Civic Auditorium (Block 812, Lot 1).

Description: The San Francisco Opera has been relocated for the 1996-97 opera season from the War Memorial Opera House, located at 301 Van Ness Avenue, to the Bill Graham Civic Auditorium, located at 99 Grove Street for the period beginning July 10, 1996 through March 4, 1997, approximately eight months, during the seismic retrofitting of the War Memorial Opera House. Upon completion of the seismic retrofitting, the San Francisco Opera will return to the War Memorial Opera House.

The proposed resolution would grant revocable permission to the San Francisco Opera Association to temporarily close and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets in order to construct a loading dock, and load and unload equipment used by the San Francisco Opera, during the approximately eight month period that the San Francisco Opera will be operating at the Bill Graham Civic Auditorium.

The Board of Supervisors may revoke at will the permission to be granted to the San Francisco Opera Association. In addition, permission would automatically be terminated if the San Francisco Opera Association failed to continue insurance protection of the temporary closure of the sidewalk and portion of the street area. Mr. Nick Elsner of the DPW advises that the San Francisco Opera Association has provided evidence of the insurance coverage required by the DPW.

Comments: 1. The San Francisco Opera Association is required to pay a non-refundable fee of $66,000 to the City for the approximately eight month duration of the revocable permission and a $500 processing fee. Mr. Elsner advises that the San Francisco Opera Association has paid the $500 processing fee, and is to pay the $66,000 fee following approval of the proposed resolution.

2. Mr. Elsner advises that the San Francisco Opera Association has completed construction of the loading ramp and begun occupying the subject areas under a 90-day Temporary Occupancy Permit issued by the Director of DPW, which is not subject to approval by the Board of Supervisors. However, Mr. Elsner advises that in order for the San Francisco Opera Association to continue to occupy the subject street and sidewalk areas beyond the 90-day period of the Temporary Occupancy Permit, the San Francisco Opera Association is required to receive approval by the Board of Supervisors under the proposed legislation. Nonetheless, since the proposed revocable permission is effective from July 10, 1996 through May 4, 1997, the proposed resolution should be amended to provide retroactive approval of the subject revocable permission.

Recommendation: Amend the proposed resolution to provide for actions previously taken, and approve the proposed resolution as amended.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Controller
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CALENDAR Action Taken

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, AUGUST 15, 1996 – 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng, Amos Brown

ABSENT: Supervisor Teng – Items 4, 5 and 12

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-12. [Stop Intersections, Various Locations] Hearing to consider establishing Stop Signs at various locations. (DPT Order No. 1115.) (Department of Parking and Traffic)

Stop Signs – Establish
Twenty-Second Avenue and Vicente Street, northeast and southwest corners, stopping Vicente Street traffic (makes this an all-way stop).

Twenty-Sixth and Noe Streets, northwest and southeast corners, stopping Noe Street traffic (makes this an all-way stop).

Ashbury and Piedmont Streets, northeast corner, stopping Piedmont Street traffic (stops the stem of this T-intersection).

Genebern Way and Justin Drive, all corners, stopping all approaches (makes this T-intersection an all-way stop).

Plymouth Avenue, San Ramon Way, and Southwood Drive, all corners, stopping all approaches (makes this five-legged intersection an all-way stop).

(b) File 19-96-11. [Parking Regulations, Various Locations] Hearing to consider establishing and rescinding parking regulations, various locations. (DPT Order No. 1115.) (Department of Parking and Traffic)

Perpendicular (90-Degree Angle) Parking – Rescind
Kansas Street, west side, between Twenty-Third and Twenty-Fifth Streets.

No Parking, 6 a.m. – 9 a.m., Monday Through Friday, Except Vehicles With Van Pool Permits – Establish
Tenth Street, west side, from 74 feet to 118 feet south of Howard Street (44–foot zone at Meter Nos. 210 and 212).

Parking Meter Area No. 3 (One–Hour Parking Time Limit, 9 a.m. – 6 p.m., Monday Through Saturday) – Rescind
Parking Meter Area No. 3 (Two–hour Parking Time Limit, 9 a.m. – 6 p.m., Monday Through Saturday) – Establish
Fillmore Street, both sides, between Lombard and Filbert Streets (extends time limit at general meters to two hours).

(c) File 20–96–12. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations, various locations. (DPT Order No. 1115.) (Department of Parking and Traffic)

Bicycle Lanes – Establish
Folsom Street, south side, between Main and Eleventh Streets.

One–Way Street – Establish
Meda Avenue, eastbound, between Delano and Otsego Avenues.

John Street, westbound, between Mason and Powell Streets.

Left Lane Must Turn Left – Establish
Right Lane Must Turn Right – Establish
North Point Street, eastbound, at The Embarcadero.

Right Lane Must Turn Right, Except Muni – Establish
Twenty–Fifth Avenue, northbound, at Lake Street.

Tow–Away, No Stopping, 4 p.m. – 6 p.m., Monday Through Friday – Rescind
Tow–Away, No Stopping, 4 p.m. – 7 p.m., Monday Through Friday – Establish
Gough Street, west side, between Hayes and Linden Streets (extends evening tow–away to 7 p.m.).

Tow–Away, No Stopping, 7 a.m. – 9 a.m. and 4 p.m. – 6 p.m., Monday Through Friday – Rescind
Tow–Away, No Stopping, 7 a.m. – 9 a.m. and 4 p.m. – 7 p.m., Monday Through Friday – Establish
Gough Street, west side, between Fell and Linden Streets (extends evening tow–away to 7 p.m.).

Tow–Away, No Stopping, 7 a.m. – 9 a.m., Monday Through Friday – Establish
Geary Boulevard, south side, from Masonic Avenue to 136 feet westerly (136–foot zone).

(d) File 20-96-13. [Traffic Regulations, Various Locations] Hearing to consider establishing traffic regulations at various locations. (DPT Order No. 1114.) (Department of Parking and Traffic)

No Turn on Red - Establish
Powell Street, northbound, at Clay Street.

Tow-Away, No Stopping, 7 a.m. - 7 p.m., Everyday - Establish
Powell Street, west side, from Clay Street to 45 feet northerly (45-foot zone).

Tow-Away, No Stopping, 9 a.m. - 7 p.m., Everyday - Establish
Clay Street, south side, from Stockton Street to 84 feet westerly (84-foot zone, eliminates Meter Nos. 901, 903, 905 and 909).

ACTION: Items (a) and (c) removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 18-96-12. Hearing held. Question divided. Question on establishing stop signs at Ashbury and Piedmont Streets severed and considered separately under File 18-96-12.1. Remainder of Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Stop Intersections] Resolution designating certain intersections as 'stop' intersections." Recommended.

File 18-96-12.1. Question of "Considering the establishment of 'Stop Signs' at Ashbury and Piedmont Streets" severed from File 18-96-12. Filed.

b. File 19-96-11. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Parking Regulations] Enacting and rescinding parking regulations at various locations." Recommended.

c. File 20-96-12. Hearing held. Question divided. Question of establishing "Right Lane Must Turn Right, Except Muni" regulation on Twenty-Fifth Avenue severed and considered separately under File 20-96-12.1. Remainder of Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting and rescinding traffic regulations on various streets." Recommended.

File 20-96-12.1. Hearing held. Question of "Establishing Right Lane Must Turn Right, Except Muni, on Twenty-Fifth Avenue, northbound, at Lake Street" severed from File 20-96-12. Filed.

d. File 20-96-13. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting traffic regulations on various streets." Recommended.

REGULAR CALENDAR

2. File 47-96-8. [Port Parking Garage, Mid-Embarcadero Project] Resolution endorsing, as in the public interest, of an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage. (Also see File 85-95-5.) (Chief Administrative Officer)
   (Consideration continued from 7/18/96)

   ACTION: Hearing held. Amendment of the Whole prepared in Committee. (See file for details.) Recommended as amended. New title: "Endorsing, as in the public interest, of an underground parking garage of up to 350 spaces on the southern half of Block 202 to be included as part of the preferred alternative for the Mid-Embarcadero Replacement Project and requesting the Port and the Waterfront Transportation Projects Office to pursue full funding of the Mid-Embarcadero Replacement Project, including the underground parking garage; provided that parking garage construction will not begin until a major redevelopment or renovation contract for the Ferry Building has been executed."

3. File 223-96-23. [Liquor License Transfer, 642 Irving Street] Resolution opposing the request for the transfer of a Type 48 on-sale general public premise liquor license from Umbertos Restaurants, Inc., located at 141 Steuart Street, to Massoud H. Ghadjar for The Silver Comet, located at 642 Irving Street, and determining that it will not serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.
   (7/29/96 - Rereferred to Committee from Board)

   ACTION: Hearing held. Amendment of the Whole prepared in Committee (approving the request) entitled: "Approving the transfer of a Type 48 on-sale general public premise liquor license from Umbertos Restaurants, Inc., located at 141 Steuart Street, to Massoud H. Ghadjar for The Silver Comet, located at 642 Irving Street, and determining that it will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended. (Supervisor Teng Dissenting) (To Board for consideration on September 9, 1996.)

4. File 223-96-25. [Liquor License, 1201 Harrison Street] Hearing to consider that the issuance of a Type 20 off-sale beer and wine license to Richard K. Sooy, for Sooy Inc. located at 1201 Harrison Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Richard K. Sooy.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee denying request entitled: "Opposing the request for the issuance of a Type 20 off-sale beer and wine license to Richard K. Sooy, for Sooy Inc., located at 1201 Harrison Street, and determining that it will not serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

5. File 223-96-26. [Liquor License, 559 Hayes Street] Hearing to consider that the issuance of a Type 20 beer and wine license to Ramiz T. Yousef for a store located at 559 Hayes Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Ramiz Yousef.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 20 off-sale beer and wine license to Ramiz T. Yousef for a store located at 559 Hayes Street will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

6. File 223-96-29. [Liquor License, 701 Mission Street] Hearing to consider that the issuance of a Type 42 on-sale beer and wine, public premises license to Dirk R. Alton for Event Beverage Inc. located at the Center for the Arts, Yerba Buena Gardens, 701 Mission Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Dirk R. Alton, President, Event Beverage Inc.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 42 on-sale beer and wine, public premises license to Dirk R. Alton for Event Beverage Inc. located at the Center for the Arts, Yerba Buena Gardens, 701 Mission Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

7. File 223-96-32. [Liquor License Transfer, 508 Fourth Street] Hearing to consider that the transfer of a Type 20 off-sale beer and wine license for Podesta Baldocchi, from 2525 California Street to 508 Fourth Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Michael Guelfi, President, Podesta Baldocchi.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the transfer of a Type 20 off-sale beer and wine license for Podesta Baldocchi, from 2525 California Street to 508 Fourth Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

8. File 34-96-7. [Changing Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1527 changing the official sidewalk widths on Church Street between 24th and Jersey Street, on Church Street between 24th Street and Elizabeth Street, on 24th at Church Street, on Church Street between 29th Street and Day Street, on Day Street at Church Street, on Church Street between Day Street and 30th Street, on Taraval Street and 22nd Avenue, on 22nd Avenue between Santiago Street and Taraval Street, on Ocean Avenue and Ashton Avenue, and on San Jose Avenue north of Seneca Avenue, collectively known as MUNI Keystop Phase "C", and a shown on the Department of Public Works drawings labeled Q-20-446, Q-20-447, Q-20-449 through Q-20-456, inclusive and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

9. File 10-96-6. [Encroachment Permit, Hayes Street] Resolution granting revocable permission to the San Francisco Opera Association to temporarily close and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of constructing a loading dock and for loading and unloading operations for the Opera's Productions at Bill Graham Civic Auditorium (Block 812, Lot 1). (Department of Public Works)

   ACTION: Hearing held. Amended on page 1, line 1, after "permission," by adding "retroactive to July 10, 1996." Further amended on page 2, line 2, after "granted," by adding "retroactively." Recommended as amended. New title: "Granting revocable permission, retroactive to July 10, 1996, to the San Francisco Opera Association to temporarily close and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of constructing a loading dock and for loading and unloading operations for the Opera's Productions at Bill Graham Civic Auditorium (Block 812, Lot 1)."

10. File 124-96-7. [Take Back Your Parking Act] Ordinance amending Traffic Code by amending Section 33.1, allowing vehicular parking where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed. (Supervisors Yaki, Bierman)

    ACTION: Hearing held. Amendment of the Whole, as presented by Supervisor Yaki, adopted. Amended on page 1, line 5, by replacing "areas zoned exclusively for residential uses," with "neighborhood commercial and residential areas." Further amended on page 5, line 5, after "code," by adding "or to state highways." Recommended as amended. New title: "Amending Traffic Code by amending Section 33.1, allowing vehicular parking where temporary parking restrictions are in effect because of public or private construction work and the construction work does not commence by 12:00 noon of the date noticed. (Supervisors Teng and Brown added as co-sponsors.)

11. File 85-96-1. [Central Freeway] Hearing to consider the Central Freeway. (Supervisor Bierman)

    ACTION: Hearing held. Consideration continued to September 12, 1996, meeting.

12. File 124-96-8. [Skateboarding Activities] Hearing to consider skateboarding activities in order to protect the waterfront promenade and the new Main Library from any further damages and to explore reasonable alternatives for skateboarders. (Supervisors Yaki, Brown)

    ACTION: Hearing held. Filed.

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

SF
590.46
#1
9/12/96

THURSDAY, SEPTEMBER 12, 1996, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng, Amos Brown

CLERK: Gail Johnson

* * * * * * * * * * * * * * *

Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

    (a) File 18-96-14. [Stop Signs, Various Locations] Hearing to consider establishing Stop Signs at various locations. (DPT Order No. 1142.) (Department of Parking and Traffic)

    Stop Signs - Establish

    Seventeenth Avenue and Kirkham Street, northeast and southwest corners, stopping Kirkham Street traffic (makes this an all-way stop).

    Ashbury and Piedmont Streets, all corners, stopping all approaches (makes this T-intersection an all-way stop).

    Darien Way and Northgate Drive, northeast and southwest corners, stopping Darien Way traffic (makes this an all-way stop).

    Fillmore and Waller Streets, northwest and southeast corners, stopping Fillmore Street traffic (makes this an all-way stop).

    Grove and Shrader Streets, northeast corner, stopping westbound Grove Street traffic (stops the stem of this T-intersecion).

    (b) File 40-96-20. [Residential Parking Area "V", Balboa Park] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park Area and adding Mount Vernon Avenue, between Alemany Boulevard and Del Monte Street, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

    ACTION:

REGULAR CALENDAR

2. File 223-96-27. [Liquor Licenses, 600 Sutter and 611 Mason Streets] Hearing to consider that the issuance of a Type 21 off-sale general alcoholic beverage license at 600 Sutter Street, and a Type 48 on-sale general public premises license at 611 Mission Street, for J.P.D.C. Corporation will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Baxter Rice.

    ACTION:

3. File 223-96-28. [Liquor License Transfer, 539 Sutter Street] Hearing to consider that the transfer of an off-sale general alcohol beverage license from Theater Market at 533 Sutter Street, to Theater Market at 539 Market Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Naser Zakout.

    ACTION:

9. File 34-96-9. [Changing Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1529 changing the official sidewalk width on the east side of Bayshore Boulevard south of Jerrold Avenue, as shown on the Department of Public Works Drawing labeled Q-20-436 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

   ACTION:

10. File 36-96-4.1. [Finding, 5545 Third Street Affordable Housing] Resolution adopting Final Negative Declaration, finding and determining that the establishment of the Third Street and Armstrong Avenue Affordable Housing Special Use District, and the reclassification of the height and bulk district from 40-X to 40-65-J, affecting the property at 5545 Third Street, Assessor's Block 5419, Lot 6, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-96-4. (Planning Department)

    (Planning Commission Motion 14180, approving Conditional Use Authorization adopted August 8, 1996.)

    ACTION:

11. File 81-96-1. [Affordable Housing Special Use District] Ordinance amending City Planning Code by adding Section 249.17 to create an Affordable Housing Special Use District at Third Street and Armstrong Avenue. (Supervisor Brown)

    ACTION:

12. File 36-96-4. [Zoning Map, Affordable Housing, 5545 Third Street] Ordinance adopting a new Special Use District as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to establish the Third Street and Armstrong Avenue Affordable Housing Special Use District, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Brown)

    ACTION:

13. File 36-96-5. [Zoning Map Height and Bulk, 5545 Third Street] Ordinance adopting a change to the Height and Bulk Classification as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to change the Height and Bulk Classification from 40-X to 40-65-J, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Brown)

    ACTION:

14. File 115-96-5. [Bayview Senior Housing Project] Ordinance amending the City Planning Code by adding Section 263.13 to create special exceptions in the 40-65-J Special Height and Bulk District.

    ACTION:

4. File 223-96-31. [Liquor License, 530 Mason Street] Hearing to consider that the reissuance of a Type 21 off-sale general alcohol beverage license to Mazen and Dina Zughyar for Mason Liquor and Deli located at 530 Mason Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Mazen Zughyar and Dina Zughyar.

   ACTION:

5. File 111-96-2. [Interim Zoning Controls, Alcoholic Beverage Sale] Resolution imposing Interim Zoning Controls to prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1 (general area along Haight Street between Stanyan Street and Central Avenue, including portion of Stanyan Street between Haight and Beulah Streets), and the area within 1/4 mile of any boundary of the Haight Street Neighborhood Commercial District, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Leal)

   ACTION:

6. File 10-96-4. [Construction on Kensington Way] Hearing to consider construction at 118, 128 and 138 Kensington Way and requesting the staff of the Planning Department and the Bureau of Building Inspection to discuss responsibility for permitting a retaining wall to be constructed without a permit and staff of the Recreation and Parks Department to report on the status of damage to the city. (Supervisor Bierman)

   ACTION:

7. File 161-96-6. [Affordable Housing, 980 Howard Street] Resolution finding that the sale of property located at 980 Howard Street by the Redevelopment Agency to Todland, Inc. will provide housing for low income persons, especially for physically disabled persons, is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property at the use and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA) between the Redevelopment Agency and Todland, Inc. for the development of affordable housing located at 980 Howard Street. (Supervisors Bierman, Alioto)

   ACTION:

8. File 34-96-8. [Changing Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulation the Width of Sidewalks by adding thereto Section No. 1528 changing the official sidewalk width at the intersection of Randolf Street and Arch Street, and at the intersection of Broad Street and Plymouth Avenue, collectively known as Muni Key Stop Phase "D", and as shown on the Department of Public Works drawings labeled Q-20-457 and Q-20-458 and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

15. File 90-96-3. [Saint Paulus Lutheran Church and Parsonage] Ordinance rescinding the designation of Saint Paulus Lutheran Church and Parsonage as Landmark No. 119 pursuant to Article 10 of the City Planning Code. (Planning Department) (See File 90-80-1, Ordinance No. 406-80).

    (Planning Commission Resolution No. 14174 recommending recision of proposed landmark dated August 1, 1996.) (Landmarks Preservation Advisory Board Resolution No. No. 488 recommending recision of said landmark dated June 19, 1996.)

    ACTION:

16. File 125-96-2. [Housing Code - Assessment Liens] Ordinance amending Housing Code by amending Sections 204(f) and 302 to provide for collection of annual license fees for the periodic inspection of apartment houses and hotels on property tax bills. (Building Inspection Commission)

    ACTION:

Note: It is the intention of the Chair to entertain a motion to continue consideration of the following item (File 85-96-1) to the Call of the Chair:

17. File 85-96-1. [Central Freeway] Hearing to consider the Central Freeway. (Supervisor Bierman)

    (Consideration continued from 8/15/96)

    ACTION:

SPECIAL ORDER - 11:00 A.M.

18. File 261-96-1. [Medical Centers] Resolution opposing the proposed University of California San Francisco Medical Center/Stanford merger until information regarding the full impact on employment and health care is provided to the City and the people. (Supervisors Bierman, Shelley, Alioto)

    ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
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401 VAN NESS AVENUE, ROOM 308
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS
BUDGET ANALYST
1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

September 9, 1996

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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: September 12, 1996 Housing and Land Use Committee Meeting

Item 7 - File 161-96-6

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution finding that (a) the sale of property located at 980 Howard Street by the Redevelopment Agency to Todland, Inc. will provide housing for low income persons, especially for the physically disabled persons, and (b) is consistent with the plan implementing the South of Market Earthquake Recovery Redevelopment Plan required by the California Health and Safety Code Section 33490; finding that the consideration for the sale is not less than the fair reuse value of the property, at the designated use, and with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA) between the Redevelopment Agency and Todland, Inc., for the development of affordable housing located at 980 Howard Street.

Description: The San Francisco Redevelopment Agency owns property located at 980 Howard Street that lies within the South of Market Earthquake Recovery Redevelopment Plan Area. Todland, Inc., a single purpose non-profit housing development corporation, has been formed by Tenants and Owners Development Corporation (TODCO) for the purpose of developing 24 two bedroom apartment units of affordable housing on this site. To assist TODCO/Todland, Inc. in this undertaking, the SFRA would enter into a Disposition and Development Agreement (DDA) transferring the property located at 980 Howard Street to Todland, Inc. at a cost of $1.00.

Total development costs for this project have been estimated at approximately $5.3 million, or $223,180 per unit, for the 24, two bedroom apartment units. All apartment units and common areas will be constructed to be totally accessible to persons with physical disabilities. The project budget (see the Attachment) estimates local costs, funded by $2 million in Hotel Tax loan money, and a $500,000 SFRA land write-down, at approximately $105,417 per apartment unit.

The following table summarizes project costs. Detailed information regarding site acquisition, hard construction costs, and all other development costs are contained in the Attachment provided by SFRA.

Summary of Total Project Costs

Uses	Total	Per Two Bedroom Unit	Per Bedroom
Land Acquisition and Write-down	$515,901	$21,496	$10,748
Building Construction	4,199,534	174,981	87,490
Architecture & Engineering	249,800	10,408	5,204
Other Soft Costs	313,087	13,045	6,523
Developer Fee/ Project Administration	78,000	3,250	1,625
Total	**$5,356,322**	**$223,180**	**$111,590**

Costs summarized in the above table include approximately $2.53 million in local costs. A summary of local funding uses is also provided in the Attachment provided by SFRA.

Todland, Inc., and its parent corporation TODCO, would guarantee the affordability of the units for the longer of 50 years or as long as the HUD use restrictions are in place. At the end of the 50 year term, the City has the option to demand repayment of its $2 million Hotel Tax loan, forgive that amount, or continue the agreement to hold the units developed by TODCO/Todland, Inc., as low-income affordable housing, for an additional length of time.

Mr. Kevin Warner, of the San Francisco Redevelopment Agency states that the proposed actions are consistent with the California Health and Safety Code Section 33490 and the South of Market Earthquake Recovery Redevelopment Plan. These two items state, respectively, that the Redevelopment Agency should facilitate the construction of 155 new family apartment units by 1999 and produce projects that will reduce blight in the South of Market Earthquake Recovery Redevelopment Plan area.

Comments:

1. Property purchased in 1993 from Goodwill Industries, on Howard Street between Minna and Natoma, was subdivided into three parcels, including the one now identified as 980 Howard Street. One of the two remaining parcels is owned by Asian, Inc. This parcel is adjacent to the parcel located at 980 Howard Street and is currently being developed by Asian, Inc. as low-income housing. The remaining parcel, owned by the Redevelopment Agency, is vacant.

2. The SFRA-owned property, currently vacant land, located at 980 Howard Street, was purchased in 1993 at the current fair market value of $762,740. This was based on the highest and best use of the property at that time. The current value of the land for development purposes is only $569,488. This is based on the restricted use covenants that will be in place to develop this particular parcel for low-income housing.

3. The parcel located at 980 Howard Street would be developed using funds from the Federal Housing and Urban Development (HUD) Section 811 Program. This program provides 60% of construction money needed to develop low-income housing units. As stipulated in the HUD Section 811 Program regulations, tenants of housing units constructed under this program do not pay more than 30 percent of their income for housing costs (defined as rent and utilities). This is similar to the Section 8 rent subsidy program and has the same guidelines for qualification (participants must earn less than 50 percent of the median income for their area).

4. In anticipation of acquiring the property at 980 Howard Street, TODCO, the parent corporation of Todland, Inc. has applied for and entered into negotiations with HUD to obtain approximately $2.8 million for the construction of 24 low-income apartment units. Additionally, on July 8, 1996, the City's Housing Loan Committee, which is part of the Mayor's

Office of Housing and Economic Development, approved a total of $2 million from the City's Hotel Tax Loan Program to finance the land pre-development costs and construction for the project. Mr. Warner states that final project costs would be apportioned approximately 60 percent from HUD and 40 percent from the City's Hotel Tax.

5. Mr. Warner states that HUD requires site control within 12 months of issuing a funding commitment as a condition of receiving such funds. As such, the proposed action would allow full execution of the DDA and property transfer to Todland, Inc. by the scheduled HUD closing date of September 30, 1996.

6. To comply with the site control requirements and restrictions on using the property to be developed to secure debt, the property at 980 Howard Street would be sold to Todland, Inc. for $1.00. Mr. Warner states that transfer of the property at a higher price would only increase total project costs and require the City to pay a greater portion of the costs of construction.

7. Todland, Inc., a non-profit agency, would become the owner/manager of the 24 units. Fair market rent schedules would be established by HUD based on HUD criteria for the San Francisco-Oakland Metropolitan area. The amount of rent paid by the tenant for the units could not exceed 30 percent of the tenant's income. The balance of the rent would be paid by HUD as a rent subsidy to Todland, Inc. Additionally, the agreement between TODCO/Todland, Inc., and HUD would stipulate that all revenues received by Todland, Inc. cannot exceed the total operating costs for the project. To ensure compliance with HUD restrictions on the amount of income to be generated by this project, all rents and other revenue collected will be regulated by the annual HUD contract rent subsidy amounts paid by HUD to Todland, Inc.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Attachment
Page 1 of 2

* All upgrades included
except disposers

Exhibit A - Proposed Development Budget - Revised **7/12/96 10:02**
Leland Apartments, 980 Howard Street
South of Market Earthquake Recovery Redevelopment Project Area
SFRA Land, Hotel Tax Loan, HUD 811

PROJECT DEVELOPMENT BUDGET

	Requested	*Recommended*		
USES	*Budget*	*Budget*	*Per Unit*	*Per Bedrm*
Site Acquisition			24	48
Land and Building	1	1	0	0
Environmental	-	-	-	-
Appraisal	3,900	3,900	163	81
Closing Costs	12,000	12,000	500	250
Holding Costs	-	-	-	-
Subtotal	15,901	15,901	663	331
Hard Construction Costs				
Building (required)	3,194,211	3,229,808	134,575	67,288
Building (accessibility upgrades) (1)	140,000	190,000	7,917	3,958
Contingency	554,220	444,575	18,524	9,262
Contractor's OHP	299,875	309,151	12,881	6,441
Bond Premium	26,000	26,000	1,083	542
Subtotal	4,214,306	4,199,534	174,981	87,490
Soft Costs				
Architecture and Engineering	249,800	249,800	10,408	5,204
Legal	32,000	32,000	1,333	667
Financial	-	-	-	-
Other Consultants	27,000	27,000	1,125	563
Construction Manager	30,000	30,000	1,250	625
Permits and Fees (not in Hard Costs)	78,587	78,587	3,274	1,637
Const Period Taxes and Insurance	9,000	9,000	375	188
Capitalized Operating Reserve	20,000	20,000	833	417
Capitalized Replacement Reserve	-	-	-	-
Rent-Up	10,000	10,000	417	208
Other	-	-	-	-
Subtotal	456,387	456,387	19,016	9,508
Other Development Costs				
FF&E	45,000	45,000	1,875	938
Administrative	30,000	30,000	1,250	625
Development Fee	48,000	48,000	2,000	1,000
Project Contingency	56,500	56,500	2,354	1,177
Organizational	5,000	5,000	208	104
Subtotal	184,500	184,500	7,688	3,844
Land cost write-down	500,000	500,000	20,833	10,417
Total Development Costs	5,371,094	5,356,322	223,180	111,590

	Requested	*Recommended*			
City Sources:	*Total*	*Total*	*Per Unit*	*Per Bedrm*	*% of Total*
City Hotel Tax Loan	2,014,773	2,000,000	83,333	41,667	37%
Developer Admin. CDBG contract	30,000	30,000	1,250	625	1%
SFRA Land Write-down	500,000	500,000	20,833	10,417	9%
Total Local Funding	2,544,773	2,530,000	105,417	52,708	47%
Non-Local Sources:					
HUD 811 Program	2,826,321	2,826,322	117,763	58,882	53%
Total Sources	**5,371,094**	**5,356,322**	**223,180**	**111,590**	**100%**

(1) Requested accessibility upgrades include a second elevator, power assisted public doors, kitchen cabinets and counters, kitchen appliances (side x side refrigerators and dishwashers), back-up generator for elevator(s), extra grab bars in units, unit door hardware, extra framing and blocking for hardware mounting surfaces, and corridor wall protection.

Summary of Total Uses

	Total	*Per Unit*	*Per Bedrm*
Land Acquisition and Cost Write-down	515,901	21,496	10,748
Building Construction	4,199,534	174,981	87,490
Architecture and Engineering	249,800	10,408	5,204
Other Soft Costs	313,087	13,045	6,523
Developer Fee/Project Admin.	78,000	3,250	1,625
Total	**5,356,322**	**223,180**	**111,590**

Summary of Local Funding Uses

	Total	*Per Unit*	*Per Bedrm*
Land Acquisition and Cost Write-down	507,511	21,146	10,573
Building Construction	1,734,402	72,267	36,133
Architecture and Engineering	93,650	3,902	1,951
Other Soft Costs	116,437	4,852	2,426
Developer Fee/Project Admin.	78,000	3,250	1,625
Total	**2,530,000**	**105,417**	**52,708**

Item 8 - File 34-96-8

Department:

Municipal Railway (MUNI)
Department of Public Works (DPW)
Department of City Planning

Item:

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1528 changing the official sidewalk width at the intersection of Randolf Street and Arch Street, and at the intersection of Broad Street and Plymouth Avenue collectively known as MUNI Key Stop Phase "D", as shown on the Department of Public Works drawings labeled Q-20-457 and Q-20-436, and making findings pursuant to the City Planning Code Section 101.1.

Description:

The proposed ordinance would authorize the widening of the sidewalk width at the above-noted site to accommodate the implementation of MUNI boarding platforms and boarding islands for wheelchair-bound passengers along the M Line. The implementation of boarding platforms and the boarding islands is mandated by the Federal Americans with Disabilities Act (ADA). In order to install boarding islands and boarding platforms, the sidewalk portions adjacent to the boarding platforms and boarding islands at the Arch/Randolf intersection will be widened 72 feet on the Southeast side, and 75 feet on the Northwest side. The Broad/Plymouth intersection will be widened 77 feet on the Northeast side, and 76 feet on the Southwest side.

According to the proposed ordinance, the Department of City Planning has declared that the change of the official sidewalk width is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

Comments:

1. Mr. John Katz of MUNI advises that the cost of the project is estimated at $1,011,000, including the proposed changes to the sidewalk width, and will be funded by 80 percent Federal Transportation Administration Section 9 Capital Improvements Grant Funds, and 20 percent San Francisco Transportation Authority funds.

2. Mr. Marc Rudnicki of Muni advises that the Department will be issuing an Invitation for Bids in January 1997 to perform the construction work.

3. As noted above, the proposed sidewalk widening, which accommodates MUNI boarding platforms and boarding

islands for wheelchair-bound passengers, is required by the ADA regulations.

Recommendation: Approve the proposed ordinance.

Item 9 - File 34-96-9

Department:
Department of City Planning
Department of Public Works (DPW)
Department of Parking and Traffic

Item: Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1529 changing the official sidewalk width on the east side of Bayshore Boulevard south of Jerrold Avenue, as shown on the Department of Public Works Drawing labeled Q-20-436, and making findings pursuant to City Planning Code Section 101.1.

Description: The proposed ordinance would narrow the sidewalk width at the above-noted site to accommodate plans by the Department of Parking and Traffic. The project would result in narrowing the eastern Bayshore Boulevard sidewalk, which is presently 13 feet wide, to 6 feet wide for approximately 700 feet. The proposed sidewalk width will provide access for the handicapped, including persons utilizing wheelchairs. The installation of three handicap-accessible ramps is for purposes of meeting California State Code Title 24 requiring a 36 inch minimum clear width point of passage.

Mr. Albert Wong, Traffic Engineer for Department of Parking and Traffic, advises that the above-noted site requires channelization and signalization to reduce the incidence of sideswipe accidents as the off-ramp traffic weaves into the Bayshore Boulevard northward lanes. One additional 11 foot wide lane would be constructed by narrowing the Bayshore sidewalk to 6 feet.

According to the proposed ordinance, the Planning Department has declared that the change of the official sidewalk width at the Bayshore Boulevard site is in conformity with the Master Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

Comments: 1. Ms. Leslie Wong of the DPW advises that the cost of the project is estimated at $900,000, including the proposed changes to the sidewalk. An estimated 88.5 percent is to be funded by State Transportation Program (STP) Funds, and 11.5 percent will be funded by the City through San Francisco Transportation Authority Sales Tax funds.

2. Ms. Wong advises that the DPW will be issuing an Invitation for Bids in October 1996 for the necessary construction work.

Recommendation: Approve the proposed ordinance.

Item 18 - File 261-96-1

Item: Resolution opposing the proposed merger between the University of California San Francisco (UCSF) Medical Center and Stanford Medical Center until information regarding the full impact on employment and health care is provided to the City and County of San Francisco.

Description: **The Proposed UCSF-Stanford Merger:**

On July 19, 1996 the University of California Board of Regents approved the governance structure for a nonprofit public benefit corporation that would oversee the proposed merged clinical services of UC San Francisco and Stanford University. The merger of the two entities, which would include UCSF Medical Center, UCSF/Mount Zion, Langley Porter Psychiatric Hospital and Clinic, Stanford University Hospital, Lucile Salter Packard Children's Hospital at Stanford, and the clinical practices of full-time faculty of the UCSF School of Medicine (excluding faculty practicing at San Francisco General Hospital and the Veteran's Administration Medical Center) and the Stanford Medical School, was first discussed by UCSF and Stanford in November, 1995. UCSF's Affiliation Agreements to provide physician services at San Francisco General Hospital and the Veterans Affairs Medical Center, are not subject to change under the proposed merger.

Under the proposed merger plan, a new private, nonprofit public benefit corporation would be formed. The new corporation would receive all patient revenues from the UCSF and Stanford facilities noted above, and would be responsible for the operation of all UCSF and Stanford clinical facilities. The corporation would also provide some direct funding for the two medical schools. Both Stanford and UCSF would retain their separate medical schools, and physicians would remain employees of either of the schools.

The Regent's 14-4 vote to approve the governance structure of the new entity is the first step in the process to merge the two entities. The UC Board of Regents has retained an independent third party review team, coordinated by Mr. Warren Hellman, co-founder of Hellman & Friedman, a San Francisco investment banking firm, to review the financial viability of the business plan developed by UCSF, Stanford and the firm Ernst & Young. In addition to Mr. Hellman, the third party review team includes: two consultants from Bain & Co., a management consulting firm; the former Dean of the

Harvard University Graduate School of Business Administration; and a Harvard University Professor of Medicine who is also the Chief Executive Officer of Partners HealthCare Systems, the organization created by the merger of Brigam and Women's Hospital and Massachusetts General Hospital. The third party review is in progress and anticipated to be presented at the October Regents' meeting. If the Regents accept the findings of the third party review, the Regents will then consider a proposal for the formation and capitalization of the new entity.

The UCSF medical center facilities, which are now public entities, would be combined into a new, private non-profit public benefit corporation under the proposed merger. According to members of CURE, the Coalition of Represented Union Employees at UCSF, there are concerns that existing rights to collective bargaining held by UCSF employees may be jeopardized by the merger, along with concerns about job security, salary, and other benefits. At this time, some information regarding these issues has been provided to UCSF employees (see details in Comment #1).

The City's Contractual Relationships with UC:

The City and County of San Francisco has approximately 40 separate service contracts valued at approximately $62.3 million with the University of California, and sixteen lease agreements (where UCSF rents a total of 171,864 square feet of property from the City) valued at approximately $537,121 per year. The majority of the service contracts are between the Department of Public Health and UCSF, which includes 37 separate contracts totaling over $62.2 million. Attachment 1, provided by the Department of Public Health, lists the FY 1996-97 contracts, including contract amounts and source of funds, between the DPH and the U.C. system. Approximately $47,200,000 of this amount is for the DPH's Affiliation Agreement with UC, which includes physician services. The Affiliation Agreement is between the DPH and the UCSF School of Medicine and will not be affected by the merger.

In addition, Ms. Kathy Murphy of the City Attorney's Office advises that the proposed agreement between the DPH and the Regents of the University of California, through the University of California San Francisco Clinical Practice Group, that allows the DPH Community Health Services Clinic physicians to provide health care services to Blue Cross and San Francisco Health Plan Medi-Cal Managed

Care subscribers (File 172-96-23), was approved by the Board of Supervisors on September 3, 1996. The UCSF Clinical Practice Group at SFGH will not be part of the combined clinical services under the proposed merger plan.

The UCSF leases a total of 116,543 square feet in 15 locations at San Francisco General Hospital, with annual payments from UCSF to the City totaling $41,966 per month or $503,593 per year. Attachment 2, provided by Mr. Charlie Dunn of the Real Estate Department, lists the current lease agreements between San Francisco General Hospital and UCSF. In addition, Mr. Gary Dowd of the City's Public Utilities Commission reports that UCSF leases 55,321 square feet of space from the Water Department for parking space, and pays the Water Department $2,794 per month, or $33,528 annually. Therefore, UCSF leases a total of 171,864 square feet of space from the City for a total of $537,121 in lease payments per year ($503,593 in leases with the Health Department, plus the $33,528 lease with the Water Department). According to Mr. William Kerr, Director of UCSF Medical Center, rental of space at SFGH by UCSF is not expected to be affected by the proposed merger.

The Department of Social Services has one contract with UC, in the amount of $44,000 annually, for the Infant Parent Program. Under this program, UC provides therapeutic intervention and extended treatment for families with children (from infants to children up to three years of age) at risk of abuse and neglect. The source of funds for this contract is 32 percent General Fund monies and 68 percent State and Federal funds.

The Sheriff's Department has a contract with UCSF for UCSF staff to provide independent evaluation services for the Sheriff's Department Sisters in Sober Treatment Empowered in Recovery (SISTER) Project, a Federally funded comprehensive treatment program for female inmates with substance abuse problems. In order to receive Federal funds for this program, the Sheriff's Department is required to conduct this independent evaluation throughout the three-year life of the program. The existing agreement between UCSF and the Sheriff's Department is for the final three months of the program, through September 30, 1996, and the total contract amount is $16,317 payable by the City to UCSF. After September 30, 1996 this program will be supported by General Fund monies in the Sheriff Department's budget, and will not require additional contract services from UCSF (since the program evaluation services were only a requirement of receiving Federal funding for the program).

The Recreation and Park Department has one contract with UC Agricultural Extension (which is part of the UC system but not part of UCSF), under which UC Agricultural Extension staff provide annual employee development and training for Recreation and Park Department employees on horticultural issues. The training course, which costs a total of $8,000, is for 10 weeks (1/2 day per week) and includes approximately 60 employees. The source of funds for this contract is General Fund monies.

Comments:

1. **UCSF's Statement Regarding Employment Terms.** The UCSF Chancellor, Dean of the School of Medicine, and Director of the Medical Center announced in July that UCSF intends to require the new entity to adhere to the following conditions regarding existing UCSF employees:

a) As part of the merger agreement, the new entity would be required to offer employment to at least 95 percent of all UCSF employees directly affected by the merger. This would include approximately 4,907 Medical Center employees and additional employees in the School of Medicine, and in the Human Resources, Materials Management, and Accounting Divisions of the University.

For all UCSF employees who are offered and accept employment with the new entity:

b) The new entity would be required to offer a base wage/salary that is at least equal to current salary levels of employees at UCSF, and this initial base wage/salary would be guaranteed for at least the first two years of employment with the new entity.

c) The UCSF length of service would be used for terms and conditions of employment where the new entity uses length of service, and employees will be allowed to transfer accrued vacation, sick time and compensatory time off for use at the new entity. In addition, UCSF employees who have completed their probation period with UCSF will not have a new probationary period with the new entity.

d) The new entity would provide a health plan, a dental plan, a vision plan, disability plan, life insurance plan, and a retirement plan for former UCSF employees. At this time, it is not clear how existing UCSF retirement agreements will be handled under the proposed merger.

According to Mr. James D. Agate and Ms. Marcia J. Canning in the Office of the General Counsel for the University of California, specific terms and conditions regarding employment and staffing levels cannot be identified, as they will be set by the new entity rather than by UCSF or Stanford. The Budget Analyst requested further information from UCSF, but was informed that specific staffing plans, potential layoffs, and employment terms under the proposed merger will be determined by the new corporation. However, Mr. Agate and Ms. Canning report that the University will require, as part of the merger agreement, that the above terms and conditions will apply to all UCSF employees who are offered and accept employment with the new corporation.

2. "Reserve Powers" of UC Regents and Stanford Trustees. According to Mr. Bruce Spaulding, Vice Chancellor of UCSF, the Board of Directors of the new non-profit corporation will have the authority to make all business decisions and policies regarding the operations of the five hospital facilities (UCSF Medical Center, UCSF/Mount Zion, Langley Porter Psychiatric Hospital and Clinic, Stanford Medical Center, Lucile Salter Packard Children's Hospital) and clinical practices of the two schools of medicine. The UC Board of Regents and the Stanford Board of Trustees, the current governing bodies of these institutions, will not have jurisdiction under the proposed merger, according to Vice Chancellor Spaulding. The only exception to this, reports the Vice Chancellor, is that the UC Regents and the Stanford Trustees will have certain "reserve powers" with the new corporation, meaning that as part of the merger agreement, the Stanford Trustees and the UC Regents will determine specific issues over which they will still have jurisdiction (their "reserve powers").

3. UCSF Employee Statistics. UCSF is the second largest employer in the City and County of San Francisco, with nearly 15,000 employees (including 3,000 clinical and teaching faculty members, and approximately 11,800 staff employees). According to UCSF, there are 4,907 Medical Center employees, 3,880 of which are union represented employees, as follows:

American Federation of State and County Municipal Employees (AFSCME):			
	Clerical & Allied Svcs	644	
	Patient Care Technical	1,399	
	Services	318	
	Total AFSCME		2,361
California Nurses Association (CNA):			1,474
University Professional & Technical Employees (UPTE):			41
San Francisco Building and Construction Trades:			4
TOTAL UNION REPRESENTED EMPLOYEES:			**3,880**

Approximately 27 percent of the 3,880 union represented employees shown above are actual union members. "Union represented" means that the employee's position is represented by a union and his/her employment terms are determined by that union's collective bargaining contracts. However, not all employees that are represented by unions are actual dues-paying members of that union. According to Ms. Linda Glasscock, Manager of Labor and Employee Relations at UCSF, the UCSF is an "open shop" and as such, employees may vote to be represented by a union without actually being dues-paying members of that union. Therefore, a classification at the Medical Center (such as Clerical and Allied Services employees, as shown above) may be union-represented even though actual union membership of these employees is approximately 30 percent.

According to UCSF Community and Governmental Relations, approximately 69 percent of the remaining approximately 6,900 staff employees of UCSF (11,800 staff employees campus-wide, less 4,907 Medical Center staff employees, and excluding the 3,000 clinical and teaching faculty noted above) are union represented, meaning that approximately 4,760 of these employees are covered by union contracts (6,900 employees times 69 percent). UCSF could not provide an estimate of the percent union membership of these union-represented employees.

4. Disclosure of Merger Details. As previously noted, many details regarding the proposed Stanford/UCSF merger have not been made publicly available. Although UCSF is a public institution supported by State and Federal tax dollars, Stanford is a private institution and is not required to provide the same level of public disclosure. In addition, Stanford and UCSF are competitors in the health care industry. The accounting firm of Ernst & Young is acting as an independent repository for all information regarding the merger. According to Mr. Agate and Ms. Canning, General Counsel for UC, Ernst & Young is facilitating discussions between UC and Stanford, developing a market and business plan, and developing a plan to complete the necessary due diligence in preparation for the proposed merger. The Budget Analyst asked UCSF for permission to request information from Ernst & Young, but was informed by the General Counsel for UC that Ernst & Young is not permitted to release any information to the public, and that all disclosures are coordinated by and through the University of California and Stanford University.

5. Disclosure Requirements Under the Proposed Merger Plan. According to UCSF press releases, under the proposed merger structure, the new Board of Directors would not be subject to the Public Records Act and open meeting requirements. The Board would be accountable to the Stanford trustees and the UC Regents, and would be required to make periodic reports on its finances and programs. Under the proposed merger plan, the new Board of Directors would consist of a total of 17 members, including three UC Regents (one of whom is the UC president), the UCSF Chancellor, and the Dean and one faculty member of the UCSF School of Medicine (for a total of six UC-affiliated Board members), three Stanford trustees, the Stanford president, and the dean and a faculty member of the Stanford School of Medicine (for a total of six Stanford-affiliated Board members), and a Chief Executive Officer, a Medical Officer, and three outside directors. Therefore, six Board members sit by virtue of their office, and, according to General Counsel for UC, it is proposed that the remaining eleven directors be elected by the Regents of the University of California and the Board of Trustees of Stanford University.

6. Provision of Care to Low Income and Indigent Patients. Both UCSF and Stanford have a history of serving low income, underinsured and unsponsored or indigent clients. According to financial statements from Stanford and UCSF, Stanford provided approximately $22.6 million in services to low-income patients, including $850,000 in charity care, and over $21.7 million in services in excess of reimbursements for Medi-Cal patients. This $22.6 million was offset by only $445,000 in direct offsetting revenues, for a net cost of approximately $22.2 million in unreimbursed expenditures for low income patients for the year ending August 31, 1995. Mr. William Kerr, Director of UCSF Medical Center, notes that these Stanford figures do not include Lucile Salter Packard Children's Hospital, which serves a large number of low income clients. Similarly, UCSF provides approximately $66 million on an annual basis in unreimbursed expenditures for low income patients, including approximately $60 million in services that are in excess of reimbursements for Medi-Cal and county services, and $6 million annually in charity care.

UCSF serves a significant number of low income patients at the UCSF Medical Center, UCSF/Mount Zion, and Langley Porter Psychiatric Hospital, as shown in the table below, which illustrates the percent of gross revenue by source in fiscal year 1996, and the number of patient visits provided at each of the UCSF facilities:

Financial Class	**UCSF Med. Center**	**UCSF/ Mt. Zion**	**Langley Porter**
Medicare	24%	43%	29%
Medi-Cal	23%	17%	35%
County	1%	0%	1%
Private Insurance	7%	5%	20%
Contracts	42%	32%	9%
Unsponsored	3%	3%	6%
Total	**100%**	**100%**	**100%**
Admissions	18,124	6,455	884
Outpatient Visits	349,204	119,199	21,085

According to Mr. Kerr, it is the intention of UCSF and Stanford to continue to serve low income populations to the extent it is financially possible. Mr. Kerr notes that the proposed merger may improve the financial performance of these facilities, which would make it possible to continue their role in indigent care. It should be noted that if UCSF decreases its level of care provided to indigent or low income patients, these patients may seek services from DPH facilities. However, Ms. Tangerine Brigham, Director of Policy and Planning at the DPH, reports that at this time, the DPH does not have enough information regarding the merger to determine whether it will have any impact on DPH's patient volume or ability to provide services.

7. Effect of the Merger on the City's Contracts with UCSF. As noted above, the Affiliation Agreement between SFGH and UCSF, under which physician services and the supervision of interns and residents are provided at SFGH by UCSF, is a legally binding contract which will continue in full force and effect regardless of the proposed merger. In addition, Ms. Murphy of the City Attorney's Office reports that the existing contracts between the DPH and UCSF are also legally binding and will continue in full force regardless of the proposed merger. According to Mr. Kerr, UCSF has informed Stanford that it fully expects its relationships with SFGH to continue. In addition, Mr. Kerr notes that all but one of the contracts between SFGH and UCSF detailed in this report will remain the responsibility of UCSF and will not become the responsibility of the new corporation. The one exception to this is the $1.1 million Tertiary Care and Referral Services contract (shown in Attachment 1), in which UCSF Medical Center provides certain specialty services to medically indigent patients. Mr. Kerr advises that the new corporation, rather than UCSF, would assume responsibility for this contract with the DPH. Mr. Kerr states, however, that this contract was recently renewed (and is legally binding for the term of the contract), and that he believes that the new corporation intends to continue this relationship in the future.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Controller
Mike Martin
Paul Horcher
Ted Lakey

Attachment 1

DPH Division & Subtotal	Contract Exhibit/Service Description	Exhibit / Service Amount	Funding Source
AIDS	Community Psychiatric Consultations, Mental Health Crisis, Neuropsychiatric, and Itinerant Mental Health & Psychosocial Services	$992,414	Federal; CARE
AIDS	Psychotherapy Services	$152,136	Federal; CARE
AIDS	AIDS & Substance Abuse Programs (ASAP)	$259,272	Federal; CARE
AIDS	Ward 86/Mental Health Services	$152,712	Federal; CARE
AIDS	OTOP Methadone Treatment	$202,342	Federal; CARE
AIDS	STOP: Stimulant Detoxification	$97,497	Federal; CARE
AIDS	Medical/Psychiatric Care	$67,217	Federal; CARE
AIDS	Integrated Women's & Children's Services	$226,032	Federal; CARE
AIDS	Primary Medical Care	$222,000	Federal; CARE
AIDS	Methadone Maintenance	$145,369	Federal; CARE/Title II
AIDS	HIV Anonymous Testing Services – Pre- & Post-test Counseling	$367,204	Federal; CDC
AIDS	HIV/AIDS Training & Education to Service Providers	$126,000	Federal; CDC
AIDS	HIV/AIDS Prevention Education to Injection Drug Users	$501,947	Federal; CDC
AIDS	Mental Health Assessmnts & Crisis Interven. for PWAs @ SFGH	$91,720	General Funds
AIDS	Health Education & Risk Reduction Services	$111,877	General Funds
AIDS	HIV Testing Services	$311,821	State/HIV
$4,027,560			
CMHS	Child & Adolescent Psychiatric Inpatient/Outpatient Services	$255,220	GF/State
CMHS	Citywide Mental Health Outpatient Case Management Services	$1,385,919	GF/State/MediCal
$1,641,139			
CPHS	Breast and Cervical Cancer Control Project	$71,226	Federal; CDC
CPHS	PHREDA project	$21,500	Federal; CDC
CPHS	TB Center for National Demonstration Project	$1,972,463	Federal; CDC
CPHS	Enhanced HIV Counseling Model	$259,916	Federal; CDC
CPHS	STD & Infertility Project	$294,716	Federal; CDC
CPHS	STD Prevention and Training	$499,130	Federal; CDC
CPHS	Physician Services at TB Control Clinic	$165,599	General Funds
CPHS	Nursing Services at City College of San Francisco Health Clinic	$10,500	State
CPHS	Family Planning	$132,000	State
$3,427,050			
CSAS	Substance Abuse Services for Persons with HIV/AIDS	$100,000	Federal; CARE
CSAS	HIV Prevention thru Methadone Maintenance (add-on via MOU thru SFGH)	$291,447	General Funds
$391,447			
LHH	Radiology Services	$60,000	Other *
$60,000			
SFGH	Work-Ordered AIDS, Detox, Gen. Med., & Substance Use Services *	$1,410,908	Federal; CARE
SFGH	Work-Ordered Psychiatric Consultation Services *	$164,302	Federal; CARE
SFGH	Work-Ordered Pharmacy Services *	$140,407	Federal; CARE
SFGH	Affiliation Agreement, incl. Physician Services & other Cost Centers *	$47,200,000	GF = 8.5%, Other ** = 91.5%
SFGH	Tertiary Care & Referral Services **	$1,100,000	State/MIA
SFGH	Airport Travelers' Clinic Services *	$2,600,000	Work Order; Airport Fees
$52,615,617			
Toxics	Poison Control Center @ SFGH *	$54,927	General Funds
$54,927			
	TOTAL:	$62,217,740	

Notes:

* These figures are 1995-96 amounts; 1996-97 amounts have not been confirmed yet.

** This contract would become the responsibility of the new corporation under the proposed merger agreement. All other contracts would rema the responsibility of UCSF.

Attachment 2

CITY AS LESSOR

LESSEE	DEPT.	LOCATION	PAYMENTS	BEGAN	TERM	END	S.F.	IMP.	$S.F.	USE	AGT
Univ. of Calif.: AIDS Research Cen.	Gen.Hsp.	General Hospital, Building 3	$ 23,377.55	02/15/92	18 yrs.	06/30/10	27,503		0.85	Research center	CD
Univ. of Calif.: Arthritis Center	Gen.Hsp.	General Hospital, Building 30	$ 1.00	03/14/80	10 yrs.	03/14/00	7,645			Research center	CD
Univ. of Calif.: Clinical Research Cen.	Gen.Hsp.	General Hospital, Main, Bld100	$ 4,351.00	10/01/92	10 yrs.	09/30/02	7,634		0.57	Research center	CD
Univ. of Calif.: Dental Clinic	Gen.Hsp.	General Hospital, Building 20	$ 1.00	07/01/78	20 yrs.	06/30/98	25,946			Dental clinic	CD
Univ. of Calif.: Electrical Room	Gen.Hsp.	General Hospital	$ 1.00	12/22/83	10 yrs.	12/21/98	2,573			Electrical system	CD
Univ. of Calif.: Gallo Center	Gen.Hsp.	General Hospital, Building 1	$ 5,879.00	08/27/92	5 yrs.	08/26/97	10,893		0.54	Research center	CD
Univ of Calif.: Gallo Clinic	Gen.Hsp.	General Hospital, Main	$ 262.00	08/27/92	5 yrs.	08/26/97	436		0.60	Clinic	CD
Univ. of Calif.: Infectious Dis. Cen.	Gen.Hsp.	General Hospital, Building 30	$ 1,786.00	08/27/92	5 yrs.	08/26/97	7,645		0.23	Research center	CD
Univ. of Calif.: Liver Center	Gen.Hsp.	General Hospital, Building 40	$ 1.00	03/14/80	10 yrs.	03/13/00	4,065			Research center	CD
Univ. of Calif.: Lung Biology Lab	Gen.Hsp.	General Hospital, Building 1	$ 2,506.57	11/01/92	5 yrs.	10/31/97	4,402		0.57	Research center	CD
Univ. of Calif.: Medical Research	Gen.Hsp.	General Hospital, Building100	$ 1,953.00	07/01/90	10 yrs.	06/30/00	3,522		0.55	Research center	CD
Univ. of Calif.: Nuclear Waste	Gen.Hsp.	General Hospital, Building 1	None	06/27/90	10 yrs.	06/26/00	680			Nuclear waste center	CD
Univ. of Calif.: Nutrition Center	Gen.Hsp.	General Hospital, Building 40	$ 1,858.00	12/22/83	10 yrs.	12/22/98	3,580		0.52	Research center	CD
Univ. of Calif.: Psychiatric Research	Gen.Hsp.	General Hospital, Building 20	Prepaid	07/23/92	10 yrs.	07/22/02	7,019			Psychiatric research	CD
Univ. of Calif.: Storage Room	Gen.Hsp.	General Hospital, Building 3	None	03/01/88	Mo. to mo.		3,000			Storage	CD

CALENDAR

HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

96

THURSDAY, SEPTEMBER 26, 1996, 10:00 A.M. VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng, Amos Brown

CLERK: Gail Johnson

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Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:
For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   (a) File 18-96-13. [Stop Intersection, 6th Avenue and Hugo Street] Resolution designating the intersection of 6th Avenue and Hugo Street as an all-way stop intersection. (Supervisor Shelley)

   (b) File 19-96-12. [Parking Regulations, Various Locations] Hearing to consider establishing traffic regulations at various locations. (DPT Order No. 1142.)

   Unmetered Motorcycle Parking - Establish

   Kaplan Lane, west side, from Clementina Street to 110 feet northerly (110-foot zone, replaces existing zone with approximately 35 motorcycle stalls).

   Unmetered Motorcycle Parking - Establish

   Sixteenth Street, north side, from De Haro Street to 50 feet westerly (50-foot zone, accommodating 14 motorcycle stalls).

   Peter Yorke Way, south side, from 80 feet to 105 feet east of Geary Boulevard (25-foot zone accommodating six motorcycle parking stalls).

   Perpendicular (90-Degree Angle) Parking - Establish

   Illinois Street, east side, between Nineteenth and Twenty-Second Streets.

   Tow-Away, No Parking Anytime - Establish

   Carroll Avenue, north side, from Keith Street to 430 feet easterly (430-foot zone).

   Carroll Avenue, north side, from Keith Street to 85 feet westerly (85-foot zone).

(c) File 20-96-14. [Traffic Regulations, Various Locations] Hearing to consider rescinding and establishing traffic regulations at various locations. (DPT Order No. 1142.) (Department of Parking and Traffic)

Left Lane Must Turn Left - Rescind
Folsom Street, eastbound, at Fremont Street.

No Left Turn - Establish
South Van Ness Avenue, northbound, at Twelfth Street (into driveway).

No Right Turn on Red - Establish
Fell Street, southbound, at Market Street.

No Turn on Red - Establish
Alemany Boulevard, northbound, at Mount Vernon Avenue.

Tow-Away, No Stopping Anytime - Establish
Eighth Street, east side, from 57 feet to 242 feet north of Bryant Street (185-foot zone, between the north and south driveways).

Montgomery Street, east side, from Market Street to the extension of the north property line of Post Street.

Broad Street, north side, from Plymouth Street to 62 feet easterly (62-foot zone).

Broad Street, south side, from Plymouth Street to 64 feet westerly (64-foot zone).

Randolph Street, north side, from Arch Street to 60 feet westerly (60-foot zone).

Randolph Street, south side, from Arch Street to 57 feet easterly (57-foot zone).

Bicycle Lanes - Establish
Harrison Street, northbound and southbound, between Eleventh and Twenty-Second Streets.

Mid-Block Crosswalks - Establish
Telegraph Hill Boulevard, at east end of Greenwich Street steps, crossing Telegraph Hill Boulevard.

Telegraph Hill Boulevard, at west end of Greenwich Street steps, crossing Telegraph Hill Boulevard.

Tow-Away, No Stopping Anytime - Rescind
Kaplan Lane, west side, from Clementina Street to 110 feet northerly (110-foot zone, replaces existing zone with approximately 35 motorcycle stalls).

(d) File 20–96–15. [Street Closure, Tiffany Street] Hearing to consider establishing traffic regulation, "Street Closure (6–Month Trial Period) – Tiffany Street, at Twenty–Ninth Street." (DPT Order No. 1142.) (Department of Parking and Traffic)

(e) File 20–96–16. [Street Closure, Mark Lane] Hearing to consider establishing traffic regulation, "Temporary Street Closure for Placement of Tables and Chairs, 12:00 Noon – 2:30 P.M. and 6:00 P.M. – 10:00 P.M., Everyday (One–Year Trial Period) – Mark Lane, between Bush Street and Harlan Place." (DPT Order No. 1142.) (Department of Parking and Traffic)

ACTION:

REGULAR CALENDAR

2. File 223–96–27. [Liquor Licenses, 600 Sutter and 611 Mason Streets] Hearing to consider that the issuance of a Type 21 off–sale general alcoholic beverage license at 600 Sutter Street, and a Type 48 on–sale general public premises license at 611 Mason Street, for J.P.D.C. Corporation will serve the convenience of the people of the City and County of San Francisco. Filed by Baxter Rice.
(Consideration continued from 9/12/96)

ACTION:

3. File 223–96–28. [Liquor License Transfer, 539 Sutter Street] Hearing to consider that the transfer of an off–sale general alcoholic beverage license from Theatre Market at 533 Sutter Street, to Theatre Market at 539 Sutter Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Naser Zakout.
(Consideration continued from 9/12/96)

ACTION:

4. File 36–96–4.1. [Finding, 5545 Third Street Affordable Housing],Resolution adopting Final Negative Declaration, finding and determining that the establishment of the Third Street and Armstrong Avenue Affordable Housing Special Use District, and the reclassification of the height and bulk district from 40–X to 40–65–J, affecting the property at 5545 Third Street, Assessor's Block 5419, Lot 6, will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36–96–4. (Planning Department)
(Planning Commission Motion 14180, approving Conditional Use Authorization adopted August 8, 1996.)
(Consideration continued from 9/12/96)

ACTION:

5. File 81–96–1. [Affordable Housing Special Use District] Ordinance amending City Planning Code by adding Section 249.17 to create an Affordable Housing Special Use District at Third Street and Armstrong Avenue. (Supervisor Brown)
(Approved by Planning Commission Resolution No. 14176 on August 8, 1996)
(Consideration continued from 9/12/96)

ACTION:

6. File 36–96–4. [Zoning Map, Affordable Housing, 5545 Third Street] Ordinance adopting a new Special Use District as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to establish the Third Street and Armstrong Avenue Affordable Housing Special Use District, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Brown)
   (Approved by Planning Commission Resolution No. 14178 on August 8, 1996)
   (Consideration continued from 9/12/96)

   ACTION:

7. File 36–96–5. [Zoning Map Height and Bulk, 5545 Third Street] Ordinance adopting a change to the Height and Bulk Classification as an amendment to the Zoning Map of the City and County affecting property located at 5545 Third Street, Lot 6, Assessor's Block 5419, to change the Height and Bulk Classification from 40–X to 40–65–J, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Brown)
   (Approved by Planning Commission Resolution No. 14179 on August 8, 1996)
   (Consideration continued from 9/12/96)

   ACTION:

8. File 115–96–5. [Bayview Senior Housing Project] Ordinance amending the City Planning Code by adding Section 263.13 to create special exceptions in the 40–65–J Special Height and Bulk District.
   (Approved by Planning Commission Resolution No. 14177 on August 8, 1996)
   (Consideration continued from 9/12/96)

   ACTION:

9. File 10–96–7. [Street Occupancy Fee Waiver] Resolution waiving the standard fee under Public Works Code Section 724.7 for the temporary use and occupancy of the northerly side of Hayes Street by the San Francisco Opera's construction of a loading dock. (Supervisors Bierman, Alioto)
   (FISCAL IMPACT)

   ACTION:

10. File 247–96–1. [Redevelopment Survey Area, North of Market] Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law. (Supervisor Bierman)

    ACTION:

11. File 127–96–7. [Hotel Room Tax Administration] Ordinance amending Municipal Code, Part III, Section 515 to transfer administration of the Hotel Tax Fund from the Chief Administrative Officer to the Mayor (with respect to housing uses of the fund) and to the City Administrator (with respect to non–housing uses of the fund) and to clarify residency requirements. (Supervisor Brown)

    ACTION:

12. File 34–96–10. [Changing Width of Sidewalk, Tompkins Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1530 changing the official sidewalk width on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue, as shown on the Department of Public Works Drawing labeled Q–20–430 and making findings pursuant to Planning Code Section 101.1; companion measure to File 139–96–1. (Department of Public Works)

    ACTION:

13. File 139–96–1. [Changing Official Grade of Street] Ordinance establishing official grades pursuant to Section 190 of the Public Works Code on the west side of Peralta Avenue at Tompkins Avenue and on Putnam Street between Tompkins Avenue to 37 feet south of Ogden Avenue, as shown on the Department of Public Works Drawings labeled Q–20–431 and Q–20–432 and making findings pursuant to Planning Code Section 101.1; companion measure to File 34–96–10. (Department of Public Works)

    ACTION:

14. File 34–96–11. [Changing Width of Sidewalk, Oakdale Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1531 changing the official sidewalk width on Oakdale Avenue between Phelps Street and Quint Street, as shown on the Department of Public Works Drawing Labeled Q–20–460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

    ACTION:

15. File 125–96–1. [Housing Code – Lead Hazards] Ordinance amending the definition of Nuisance in Housing Code Section 401, to include dwelling units subjected to hazard reduction orders or emergency orders under Sections 1628 and 1630 of the Health Code. (Building Inspection Commission)

    ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

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9/26/96

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
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September 24, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: September 26, 1996 Housing and Land Use Committee Meeting

Item 9 - File 10-96-7

Department: Department of Public Works (DPW)

Item: Resolution waiving the standard fee under Public Works Code Section 724.7 for the temporary use and occupancy of the northerly side of Hayes Street for the San Francisco Opera's construction of a loading dock.

Description: The San Francisco Opera as been relocated for the 1996-97 opera season from the War Memorial Opera House, located at 301 Van Ness Avenue, to the City-owned Bill Graham Civic Auditorium, located at 99 Grove Street for the period beginning July 10, 1996 through March 4, 1997, approximately eight months, during the seismic retrofitting of the War Memorial Opera House. Upon completion of the seismic retrofitting, the San Francisco Opera will return to the War Memorial Opera House.

The Board of Supervisors previously approved a resolution (File 10-96-6) granting revocable permission to the San Francisco Opera Association to temporarily close and occupy the northerly sidewalk and a portion of the street area on Hayes Street, between Polk and Larkin Streets, for the purpose of constructing a loading dock to load and unload equipment used by the San Francisco Opera.

The DPW advises that the San Francisco Opera has paid DPW a $500 permit processing fee for DPW's review of the permit application and inspection of the Hayes Street site.

The DPW reports that in addition to the permit processing fee, the San Francisco Opera Association is required to pay a non-refundable fee of $66,000 for temporary street occupancy, pursuant to Section 724.7 of the Public Works Code. Under Section 724.7, any person seeking to close off more than 1/3 of the roadway width and more than 1/2 of the sidewalk width must pay for an additional temporary street occupancy permit. Section 724.8 of the Public Works Code authorizes the Director of Public Works to determine the amount of such permit fees based upon the square footage of the area to be occupied. Section 724.7 provides that the Board of Supervisors may waive payment of such permit fees, if the Board finds that the issuance of a permit will benefit the public.

Under DPW's policies, the permit fees to be paid per square foot of space occupied is as follows: (1) $40 per square foot for any City area zoned for buildings 80 feet in height or greater, and (2) $10 per square foot for any City area zoned for buildings less than 80 feet in height.

The DPW advises that the Hayes Street site, to be occupied by the San Francisco Opera, is located in an area zoned for buildings 80 feet in height or greater. The DPW, reports that the space to be occupied is approximately 1,650 square feet. Based on 1,650 square feet, the amount of the fee to be paid by the San Francisco Opera House for the temporary occupancy permit is $66,000 (1,650 sq. ft. times $40).

The proposed resolution would waive the San Francisco Opera's payment of the $66,000 temporary occupancy permit fee, to cover one full year of occupancy.

According to the San Francisco Opera Association, the San Francisco Opera is requesting waiver of this fee because (1) in addition to the San Francisco Opera, the construction of a loading dock would benefit other occupants of the City-owned Bill Graham Civic Auditorium, and (2) because the closure of the Central Freeway is interfering with the San Francisco Opera's ability to effectively use the loading dock area because traffic that would otherwise use the closed freeway is being diverted, in part, to Hayes Street.

Comments:

1. Ms. Denise Brady of the DPW advises that the permit fee of $66,000 to cover one full year of occupancy, if not waived, would accrue to the General Fund. As noted above, the San Francisco Opera has already paid the $500 permit processing fee.

2. Mr. Glenn Plott, Director of Production for the San Francisco Opera Association advises that the cost of construction of the loading dock is approximately $20,000 to be paid for by the San Francisco Opera Association.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 10 - File 247-96-1

Note: This item was continued by the Housing and Land Use Committee at its meeting of May 16, 1996.

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution designating and describing a Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law.

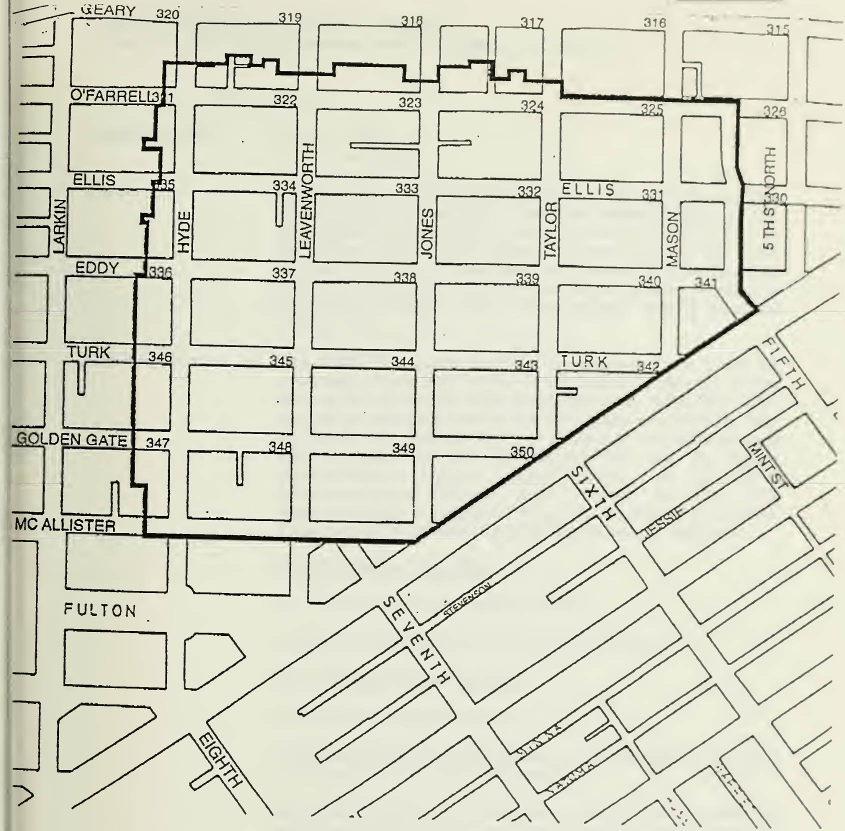
Description: The proposed resolution would designate a survey area in order to study the feasibility of a redevelopment effort in the area bounded roughly by Market, McAllister, Hyde, O'Farrell and Cyril Magnin Streets (see Attached map), to be known as the North of Market Survey Area. A survey area is land designated for analysis which will determine its redevelopment status.

Designation of a site as a survey area is a required first step in evaluating the redevelopment potential of an area. If the proposed resolution is approved, the Redevelopment Agency would then (a) study the area to determine if it meets the criteria for redevelopment under the California Community Redevelopment Law, and (b) develop a Preliminary Plan, which would incorporate the vision of the North of Market community for the area, the zoning and use of the land, and the economic development necessary for redevelopment to be realized. Once the Preliminary Plan is completed, it would be submitted to the City Planning Commission for a determination as to whether the Preliminary Plan conforms to the City's General Plan (formerly the Master Plan). In addition, an Environmental Impact Report (EIR) would be developed for the project. Both the Final Redevelopment Plan and the EIR would then be submitted to the Board of Supervisors for approval.

Comment: 1. Ms. Gail Goldman of the SFRA reports that production of the Preliminary Redevelopment Plan, the Final Redevelopment Plan, and the EIR for the North of Market Survey Area is estimated to take approximately 12 to 18 months to complete and cost approximately $670,000. Ms. Goldman advises that of the total amount of $670,000, $500,000 was included in the Redevelopment Agency's FY 1996-97 budget. Ms. Goldman advises that in order to fund the balance of $170,000, the Redevelopment Agency would request an amendment to the FY 1996-97 Redevelopment Agency budget to increase expenditures by $170,000 for the development of the North of Market Survey Area. The request would be subject to approval by the Board of Supervisors, advises Ms. Goldman.

2. Ms. Goldman advises that the establishment of the proposed redevelopment survey area north of Market Street is supported by many residents, property owners, and other interested parties in the area, including a non-profit organization, the North of Market Planning Coalition, which has conducted an extensive planning and community participation process over the last two years on economic development needs and other issues in the area.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.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EIGHTH

NORTH OF MARKET PROPOSED SURVEY AREA

EXHIBIT I

1" = 400' - 0"

TSD-SA-ET-4/1695

Item 11 - File 127-96-7

Departments: Mayor's Office
City Administrator

Item: Ordinance amending Section 515 of Part III of the San Francisco Municipal Code to transfer administration of the Hotel Tax Fund from the Chief Administrative Officer (a) to the Mayor's Office with respect to housing uses of the Fund and (b) the City Administrator with respect to non-housing uses of the Fund, and to clarify low-income housing residency requirements with respect to the elderly and to disabled persons of any age.

Description: The Hotel Tax Fund consists of revenues from taxes on occupancy of transient hotels (Hotel Taxes). Currently, under Section 515 of Part III of the Municipal Code, Hotel Tax Fund monies are administered by the Recreation and Park (to pay off Candlestick Bonds), the War Memorial (for maintenance and operation of the War Memorial) and the Chief Administrative Officer. Under Section 515, the Chief Administrative Officer (now known as the City Administrator) is responsible for administering Hotel Tax Fund monies to be used to pay for the following activities:

Housing Related Activities

(1) Construction of low-income housing

(2) Rent supplements for low-income households

Non-Housing Related Activities

(1) Moscone expansion project

(2) Maintenance and operations of all convention facilities including debt service for Moscone

(3) Advertising and publicity for cultural and promotional activities in the City, and recurring and non-recurring parades, celebrations, and street fairs in the City (known as the Grants for the Arts Program).

Pursuant to the new Charter, there is no longer a Chief Administrative Officer. Instead, a City Administrator is appointed by the Mayor and operates under the direction of the Mayor's Office.

The proposed ordinance would amend Section 515 of Part III of the Municipal Code to transfer the administration of the Hotel Tax Fund monies from the Chief Administrative Officer to the Mayor with respect to housing uses of the Fund and to the City Administrator with respect to non-housing uses of the Fund. This transfer is necessary in order to conform with the new Charter and policies and procedures of the Mayor's Office pertaining to the Mayor's oversight of the City Administrator. Additionally, the proposed ordinance would amend Section 515 to clarify that in addition to the construction and rehabilitation of low income housing for the elderly, Hotel Tax funds may be used for the development of low income housing for disabled persons of any age, including persons with disabilities other than physical disabilities, such as mental impairment.

Comment: The Municipal Code amendments proposed by this ordinance are already reflected in the 1996-97 Annual Appropriation Ordinance. The current amount of Hotel Tax Fund monies appropriated to the Mayor's Office for housing and non-housing activities for 1996-97 is $45,740,316, which includes the following: (1) $34,020,835 for the Moscone expansion project/Convention Facilities Fund, (2) $600,000 for the Convention Facilities Fund Annual Project ($400,000 for Rent Supplement Program Admin. plus $200,000 for Professional and Specialized Services), and (3) $11,119,481 for the Grants for the Arts Program.

Recommendation: Approve the proposed ordinance.

Item 12 - File 34-96-10

Department: Department of Public Works (DPW)

Item: Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section 1530, changing the official sidewalk width on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue, and making findings pursuant to Planning Code Section 101.1.

Description: The proposed ordinance would authorize the widening of the sidewalk at the above-mentioned site to accommodate plans by the Bernal Heights Housing Corporation, a non-profit housing developer, in conjunction with the Farmer's Market, to create additional sidewalk space, approximately 7 feet wide (actual width of the concrete sidewalk) and 499.42 feet long, on the south side of Tompkins Avenue to accommodate public parking at the Farmer's Market location. The proposed ordinance would also authorize the official grades to be changed on the west side of Peralta Avenue at Tompkins Avenue and on Putnam Street between Tompkins Avenue to 37 feet south of Ogden Avenue to accommodate street drainage and driveway entrances to private property.

According to Ms. Denise Brady of the DPW, both the widening of the sidewalk and the changing of the grades at the above-mentioned location have been completed. Ms. Brady advises this project was completed prior to receiving approval from the Board of Supervisors because the Bernal Heights Housing Corporation, which paid for the entire cost of this project, received funding from the Department of Housing and Urban Development (HUD) to complete this project and was required to meet a specific funding timeline. As such, the proposed ordinance should be amended to authorize the DPW to retroactively amend Ordinance No. 1061 to authorize the widening of the sidewalks on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue.

Ms. Brady reports that the construction cost for the changes to the sidewalk and to the grades is approximately $100,000, which was paid for entirely by the Bernal Heights Housing Corporation, at no cost to the City.

Comments: 1. According to the proposed ordinance, the Planning Department has declared that the change of the official sidewalk width at the Tompkins Avenue site is in conformity with the Master Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

2. Ms. Brady advises that the Bernal Heights Housing Corporation developed a construction and design plan for the project and submitted it for review and approval by the DPW. The DPW approved the plan on November 3, 1995. Construction work began immediately after the plan was approved by the DPW, and the construction work was completed on May 21, 1996.

3. Mr. Kay Low of the DPW advises that the fees charged to the Bernal Heights Housing Corporation, in connection with the above-noted project, include processing, engineering and design, inspection and sewer fees, totaled approximately $45,750. Mr. Low reports that the Bernal Heights Housing Corporation has paid the City for such fees.

Recommendations: 1. Amend the proposed ordinance to authorize the DPW to retroactively authorize the widening of the sidewalks on the south side of Tompkins Avenue between Putnam Street and Peralta Avenue.

2. Approve the proposed ordinance as amended.

Item 14 - File 34-96-11

Department:	Department of Public Works
Item:	Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding Section No. 1531, changing the official sidewalk width on Oakdale Avenue between Phelps Street and Quint Street, making findings pursuant to Planning Code Section 101.1.
Description:	The proposed ordinance would narrow the sidewalk width on both the north and south sides of Oakdale Avenue from 16 feet wide to 10 feet wide for a distance of 600 feet on each sidewalk to accommodate plans by the Bureau of Engineering, Streets and Highways. Narrowing these sidewalks will 1) minimize impact on residential homes when the DPW retrofits and modifies the Oakdale Avenue Bridge and 2) improve vehicular flow on Oakdale Avenue. The Oakland Avenue Bridge is a grade separation structure located on Oakdale Avenue over a railway in the Bayview neighborhood. In 1993, CalTrans determined that the Oakdale Avenue Bridge needed to be reconstructed in order to safely carry trucks weighing more than 3 tons. The DPW reports that Oakdale Avenue is in a low density residential area and does not have heavy pedestrian traffic.
Comment:	1. According to the proposed ordinance, the Planning Department has declared that the change of the official sidewalk width at the Oakdale Avenue site is in conformity with the Master Plan and is consistent with the Eight Priority Policies of City Planning Code Section 101.1. 2. Mr. Nelson Wong of the DPW advises that the total construction cost of retrofitting and modifying the Oakdale Avenue Bridge is estimated at $3,200,000, including the proposed changes to the sidewalk which are estimated to cost $146,000. Eighty percent of this project will be funded by the Federal Highway Administration and 20 percent will be funded by local Sales Tax revenues. 3. Mr. Wong advises that the DPW will be issuing an Invitation for Bids in November of 1996 for the necessary construction work, and the construction work is expected to commence in April of 1997.
Recommendation:	Approve the proposed ordinance.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Kaufman
Supervisor Katz
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Chief Administrative Officer
Controller
Mike Martin
Paul Horcher
Ted Lakey

Public Library, Documents Dept.
Attn: Kate Wingerson

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

October 8, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: October 10, 1996 Housing and Land Use Committee Meeting

Item 4 - File 52-96-3

Department: Department of Pubic Works (DPW)

Item: Ordinance creating Underground District No. 323 on Cesar Chavez Street from the east side of Third Street to the west side of Mississippi Street.

Description: The proposed ordinance would create Underground District, No. 323, on Cesar Chavez Street from Third Street to the west side of Mississippi (See Attached Map), for the purposes of eliminating overhead utility wires and cables, installing new street lighting, and enabling the utility companies of Pacific Gas & Electric (PG&E) and Pacific Bell, as well as TCI to install the utility wires and cables underground.

According to Mr. Tom Trimbur of the DPW, the DPW is recommending the undergrounding of the overhead utilities within the proposed Underground District, No. 323, to coincide with roadway improvements that the Department of

Parking and Traffic is currently designing for the areas within the proposed underground district.

In addition, because the proposed undergrounding of utilities would also require the removal of wooden poles, which currently contain the existing street lighting, the DPW is also requesting that new street lighting be installed in conjunction with the proposed underground district, and that the wires for the new street lights be installed underground.

Mr. Trimbur advises that the utility companies, including PG&E, Pacific Bell and TCI would provide funds for the undergrounding of their utility wires and cables. The affected property owners would then have to pay private electrical contractors to rewire their properties to accept the new utility wire and cable connections (See Comment No.1). In addition, Mr. Trimbur advises that the Department of Parking and Traffic would be responsible for providing $140,000 for the installation of the proposed new street lighting (See Comment No. 2). Mr. Trimbur advises that the property owners in the proposed underground district would not be responsible for the costs associated with the installation and wiring of the proposed street lighting. Therefore, it is not necessary to form an assessment district in order for the property owners to fund the associated costs of street lighting, according to Mr. Trimbur.

Comments:

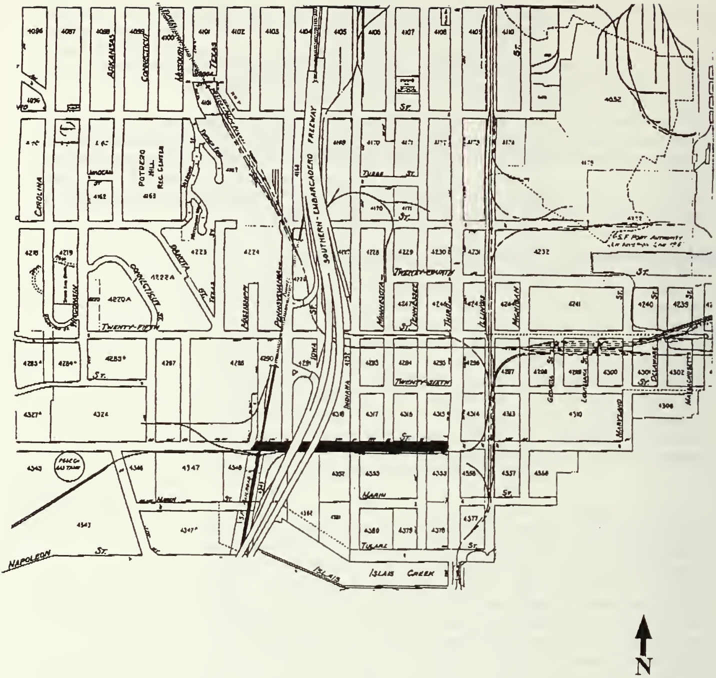
1. According to Mr. Trimbur, property owners in the proposed Underground District Number 323 must pay private electrical contractors for 100 percent of the costs to rewire their properties in order to accept the new utility and cable connections coming into the ground floor of each structure. The properties would be rewired specifically for utility services. Mr. Trimbur advises that there are approximately 21 affected properties within the proposed underground district, of which all are non-residential properties. Mr. Trimbur estimates that the average cost to each property owner for the rewiring of the utility wires and cables would be a maximum of $4,000.

2. Mr. Trimbur advises that the DPW would hire an outside contractor to install the proposed street lighting and the underground wiring. According to Mr. Albert Wong of the Department of Parking and Traffic, the Department of Parking and Traffic included $140,000 in State Department of Transportation Flexible Congestion Relief Program grant funds within their project budget for roadway improvements, to be used for the installation of new street lights within the

proposed underground district. Mr. Wong advises that the Department of Parking and Traffic has received approval by the Transportation Authority for the expenditure of these grant funds, but approval by the Board of Supervisors for the expenditure of these grant funds is pending.

3. The Public Works Code requires that the DPW hold a public hearing regarding the proposed Underground District, No. 323. The DPW reports that a public hearing was held on May 22, 1996. Mr. Trimbur advises that the DPW did not receive any verbal or written protests, and that no property owners spoke at the public hearing.

Recommendation: Approve the proposed ordinance.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PROPOSED CAESAR CHAVEZ
UNDERGROUND DISTRICT

▬ STREETS TO BE UNDERGROUNDED

9/4/96

Item 5 - File 52-96-4

Department: Department of Public Works (DPW)

Item: Ordinance creating Underground District No. 324 from Duboce Avenue from the south side of Market Street to the east side of Castro Street, and Church Street from the south side of Herman Street to the north side of Fourteenth Street.

Description: The proposed ordinance would create Underground District, No. 324, on Duboce Avenue from the south side of Market Street to the east side of Castro Street, and on Church Street from the south side of Herman Street to the north side of Fourteenth Street (See Attached Map), for the purposes of eliminating overhead utility wires and cables, installing new street lighting, and enabling the utility companies of Pacific Gas & Electric (PG&E) and Pacific Bell, as well as TCI to install the utility wires and cables underground.

According to Mr. Tom Trimbur of the DPW, the DPW is recommending the undergrounding of the overhead utilities within the proposed Underground District, No. 324 to coincide with the Municipal Railway's (MUNI) MUNI Key Stop Project and the Department of Parking and Traffic's Bike Route Improvement Project, which include the installation of one handicapped accessible boarding ramp at the corner of Duboce Avenue and Church Street, and the Department of Parking and Traffic's redesign of Duboce Avenue from Market Street to Church Street, which will limit access on Duboce Avenue between Church Street and Market Street, to bicyclists and pedestrians.

In addition, because the proposed undergrounding of utilities would also require the removal of wooden poles on Duboce Avenue between Church Street and Market Street, which currently contain the existing street lighting, the DPW is also requesting that new street lighting be installed in conjunction with the proposed underground district, and that the wires for the new street lights be installed underground.

Mr. Trimbur advises that the utility companies, including PG&E, Pacific Bell and TCI would provide funds for the undergrounding of their utility wires and cables, and the Department of Parking and Traffic, MUNI and Safeway would be responsible for providing $90,000 for the costs associated with the installation of the new and upgraded street lighting (See Comment No.2). Mr. Trimbur advises that the property owners in the proposed underground district would not be responsible for the costs associated with the installation, and wiring of the proposed street lighting. Therefore, it is not necessary to form an assessment district in order for the property owners to fund the associated costs of street lighting, according to Mr. Trimbur.

Comments:

1. According to Mr. Trimbur, property owners in the proposed Underground District Number 324 must directly pay private electrical contractors for 100 percent of the costs to rewire their property in order to accept the new utility and cable connections coming into the ground floor of each structure. The properties would be rewired specifically for utility services. Mr. Trimbur reports that there are approximately 50 property owners that would be affected by the proposed undergrounding of the utility wires and cables, and that the cost for each property owner would be approximately $1,000 to $1,500.

2. Mr. Trimbur advises that the DPW would hire an outside contractor to install the proposed new street lighting, and the underground wiring. According to Mr. John Katz of MUNI, included in the MUNI Key Stop Project and the Department of Parking and Traffic's Bike Route Improvement Project are total funds in the amount of approximately $70,000, of which $35,000 would be provided by the Department of Parking and Traffic, and $35,000 would be provided by MUNI, for the installation of new street lights. In addition, Mr. Trimbur advises that Safeway will provide an additional $20,000 to install new lights onto the existing street poles within the proposed underground district that do not have to be replaced. Mr. Trimbur advises that Safeway is providing these funds as a condition of a Use Permit which was granted by the Department of City Planning to Safeway. In total, $90,000 will be provided for the installation of the new and upgraded street lighting in the proposed underground district.

Details for the funds which are to be provided by the Department of Parking and Traffic and MUNI for street lighting are described as follows:

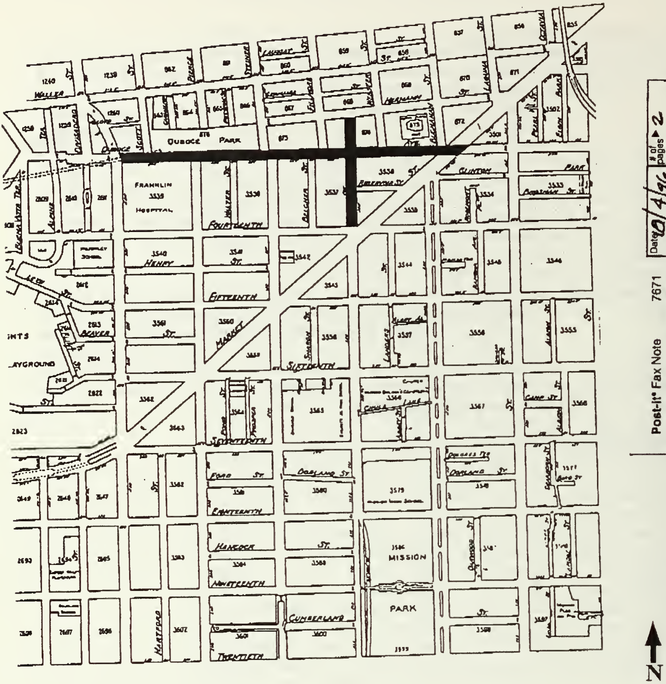
- The Department of Parking and Traffic will work-order an amount of approximately $35,000 in Federal Transportation Enhancement Activity grant funds to MUNI, as part of the Bike Route Improvement Project, to be used for the installation of new street lights within the proposed underground district, which are subject to a pending grant approval by the Board of Supervisors.

- MUNI has allocated an amount of approximately $35,000, including approximately $29,750 in Federal Section IX Transportation funds, and $5,250 in Local Sales Tax funds in the MUNI Key Stop Project, to be used for the installation of new street lights within the proposed underground district. Mr. Katz advises that the expenditure of the Federal grant funds was previously approved by the Board of Supervisors. However, Mr. Katz advises, these funds were reserved by the Board of Supervisors pending additional budget detail. Therefore, the release of the subject funds from reserve for the installation of new street lights will be subject to approval by the Board of Supervisors.

3. The Public Works Code requires that the DPW hold a public hearing regarding the proposed Underground District, No. 324. The DPW reports that a public hearing was held on July 10, 1996. Mr. Trimbur advises that the DPW did not receive any verbal or written protests at the public hearing, however, the DPW did receive two protests by telephone prior to the public hearing.

Recommendation: Approve the proposed ordinance.

Attachment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Fax # 252-0461	Fax # 554-5843

PROPOSED DUBOCE / CHURCH
UNDERGROUND DISTRICT

▬ STREETS TO BE UNDERGROUNDED

9/4/96

Items 6 and 7 - Files 52-96-5 and 52-96-5.1

Departments: Department of Public Works (DPW)
Department of Hetch Hetchy Water and Power

Items: Item 6, File 52-96-5 - Ordinance creating a utilities Underground District No. 325, for purposes of eliminating overhead utility wires and cables, and to enable the utility companies of Pacific Gas and Electric (PG&E), Pacific Bell and Telecommunications Inc. (TCI) to install their wires and cables underground in the Gough/Green Streets District.

Item 7, File 52-96-5.1 - Resolution determining to undertake proceedings to form a street lighting Assessment District pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the Public Works Code for the purposes of installing street lighting in the Gough/Green Streets District.

Description: Mr. Tom Trimbur of the DPW advises that 54 percent of the property owners in the Gough/Green Streets District have petitioned the City for the undergrounding of utilities in the district, in order to eliminate overhead wires and cables and have new street lighting installed. The utility companies, which would have their wires and cables installed underground, consist of PG&E, TCI and Pacific Bell. Because the proposed undergrounding of these utilities would also require the removal of wooden poles which currently contain existing street lighting, the petitioning owners have also requested that new street lighting be installed in conjunction with the proposed underground utilities district. The proposed new street lighting would be wired underground. The Gough/Green Streets District would include Gough Street from the north side of Broadway to the north side of Green Street and Green Street from the east side of Gough Street to east side of Fillmore Street (see Attachment I for Map).

The proposed ordinance (File 52-96-5) would create Underground District No. 325, for the purposes of eliminating overhead utility wires and cables, and enable the utility companies of PG&E, Pacific Bell and TCI to install their wires and cables underground.

The proposed resolution (File 52-96-5.1) would begin the proceedings to form Assessment District No. 96-2, which is a method by which property owners can have new street lighting installed in an underground utilities district, instead of the existing street lighting which utilizes overhead wires. The proposed resolution would also require that the DPW issue an Engineer's Report, which would specify (1) which type of street lighting should be implemented, (2) identify costs and (3) identify a method to apportion and assess the costs of installing the street lighting to the property owners.

According to Mr. Trimbur, the utility companies including PG&E, Pacific Bell and TCI will pay for the undergrounding of their wires and cables, at no cost to the City, and the City would be responsible for advancing funds for the new street lighting (See Comments No's 1 and 2 below).

Comments:

1. According to Mr. Trimbur, property owners in the proposed Underground District No. 325, must pay private electrical contractors for 100 percent of the costs to rewire their property in order to accept the new utility and cable connections coming into the ground floor of each structure. The properties would be rewired specifically for utility services. The new street lighting would be installed separately by the DPW (See Comment 2 below). Mr. Trimbur reports that the cost for each property owner would range from approximately $1,000 to $1,500 for the rewiring of PG&E, Pacific Bell and TCI utility services. Such costs will be payable directly from the property owner to private electrical contractors.

2. Mr. Trimbur estimates that 215 properties, including condominiums, would be affected from the proposed undergrounding of utilities and the installation of new street lighting. Mr. Trimbur advises that the DPW would be responsible for installing the street lighting, which would be wired underground. Mr. Trimbur reports that the DPW would hire an outside contractor to complete the work. The proposed resolution (File 52-96-5.1) specifies that funds for the installation of the new street lighting would be advanced from Hetch Hetchy. Mr. Trimbur reports that property owners would then be assessed the full cost for the street lighting installation as part of their Property Tax bill. Mr. Trimbur reports that the assessments paid by the property owners on their Property Tax bills to the City would then be used to reimburse Hetch Hetchy for the funds which Hetch Hetchy advanced for this project. Mr. Trimbur estimates that the total cost for installing the new street lighting would be approximately $225,000. According to Mr. Trimbur, for a 25-30 foot frontage lot, which represents the average footage, the estimated cost would be $1,500 to $2,000 per property owner.

3. In summary, the average property owner would pay a total of approximately \$2,500 to \$3,500 consisting of (1) \$1,000 to \$1,500 for the rewiring of utilities, payable directly to private electrical contractors and (2) \$1,500 to \$2,000 for the installation of new street lighting, which would be paid to the City, through an amount assessed on the property owner's Property Tax bills. The assessments paid to the City by the property owners for the new street lighting, would in turn be used to reimburse Hetch Hetchy for funds advanced by Hetch Hetchy for the new street lighting. As previously noted, PG&E, Pacific Bell and TCI would pay for all costs for the undergrounding of their wires and cables, at no cost to the City.

4. The Public Works Code requires that the DPW hold a public hearing regarding the proposed Underground District (File 52-96-5). The DPW reports that three public hearings were held in connection with Gough/Green Streets, the first in February of 1993 (Gough Street only), the second in September of 1993 (Green Street only) and the third in July of 1996 (both Gough and Green Streets). The DPW reports that one protest was voiced at the final hearing, four protests were received in writing and one protest was received by telephone. The DPW advises that on completion of the Engineer's Report regarding the installation of the street lighting, a separate public hearing would be held in order for members of the public to be given another opportunity to file any protests. A separate resolution would then be submitted to the Board of Supervisors to request authorization to proceed with the formation of an Assessment District. Attachment II provided by Mr. Trimbur describes the nature of the protests which were received.

5. Mr. Trimbur estimates that the Engineer's report, which would be prepared by the DPW, would cost an estimated \$8,000, which is included in the \$225,000 total project cost estimate. The funds required for the Engineer's report would initially be advanced through Hetch Hetchy funds. The Engineer's report would estimate the City's costs for the installation of street lighting in the underground utilities district, and develop a plan to proportionately assess these costs to property owner's based on their lot size. Mr. Trimbur indicates that a lien would placed upon the property owner's residences if they fail to pay back to the City their share of the estimated \$225,000 for the total project cost.

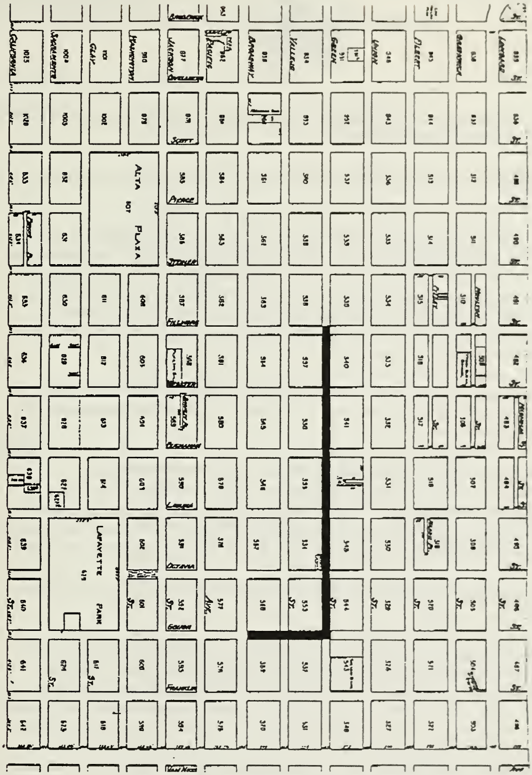
6. Mr. Trimbur advises that it should be noted that, if the Board of Supervisors approves the proposed ordinance (File

52-96-5) and the proposed resolution (File 52-96-5.1), and it was later determined by the Board of Supervisors, DPW and the Gough/Green Streets residents, based upon the Engineer's report, that the cost to proceed with the installation of the new street lighting is prohibitively high, the Board of Supervisors, DPW and Gough/Green Streets residents would need to reevaluate whether or not the project should proceed as planned. If the project did not proceed, then property owners would not be assessed for the Engineer's report, and the estimated $8,000 costs advanced by Hetch Hetchy for the preparation of the Engineer's Report would absorbed by Hetch Hetchy. Mr. Trimbur reports that while it is possible that the Engineer's report could result in the determination that the cost to proceed with the street lighting project is prohibitively high, historically no such finding has ever occurred in connection with such street lighting assessment projects.

7. Mr. Trimbur estimates that the Engineer's report would be completed within 12 months. According to Mr. Trimbur, the undergrounding of utilities would take approximately 9 months to complete. According to Mr. Trimbur, the project should be completed, including the installation of the new street lights, in approximately 26 to 30 months.

Recommendation: Approve the proposed ordinance (File 52-96-5) and the proposed resolution (File 52-96-5.1)

Attachment I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PROPOSED 2400-2500 GOUGH ST. UNDERGROUND ASSESSMENT DISTRICT

▬ STREETS TO BE UNDERGROUNDED - ADJACENT PROPERTIES TO BE ASSESSED

7/24/96

TOTAL P.01

Attachment II

Department of Public Works

Bureau of Street-Use & Mapping

Summary of Protests received in conjunction with the proposed Gough/Green and Inner Sunset Undergrounding Districts

Protests against the formation of underground districts may be categorized into several groups.

- People are opposed to paying an assessment for the provision of streetlights. In general we estimate that the cost for a "typical" lot which is 25 to 30 feet wide would be $1,500 to $2,000. The impact of this cost, which appears on the tax bill, may be lessened by allowing that the cost may be paid over a five year period. In addition, for low income seniors and disabled individuals, there is a State of California program which allows this cost, or any portion of the tax bill, to be postponed until the property is sold.

- People are opposed to the costs associated with the conversion of their properties. For single family residences, we provide information on the CERF program for low interest loans for such conversions.

- People are concerned with the disruption which will be caused during the construction. During construction the utility companies are in front of any one property for one to two days. If work is not completed at the end of a day, trenches are made safe and plated during the evening hours. Typical traffic routing and parking restrictions which are applicable to all excavation in the street area are maintained.

- For the proposed Gough/Green district all protests concerned the cost to the property owners.

- For the proposed Inner Sunset district, in addition to costs, there was some concern regarding loss of parking and congestion during construction. Additionally, one citizen was concerned about the safety of underground wires during an earthquake. He was informed that PG&E has found that in general, undergrounded wiring is safer during earthquakes and that overhead wires provide a hazard during fires. Finally, one property owner objected due to the fact that MUNI overhead wires were to remain along Irving Street and that owners along this street should be assessed less. The Department is recommending that the Engineer's Report study placing the lights on existing MUNI poles and that the assessment reflect the cost of such an engineering solution.

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TOTAL P.01

Items 8 and 9 - Files 52-96-6 and 52-96-6.1

Departments: Department of Public Works (DPW)
Department of Hetch Hetchy Water and Power

Items: Item 8, File 52-96-6 - Ordinance creating utilities Underground District No. 327, for purposes of eliminating overhead utility wires and cables, and to enable the utility companies of Pacific Gas and Electric (PG&E), Pacific Bell and Telecommunications Inc. (TCI) to install their wires and cables underground in the Inner Sunset District.

Item 9, File 52-96-6.1 - Resolution determining to undertake proceedings to form a street lighting Assessment District pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the Public Works Code for the purposes of installing street lighting in the Inner Sunset District.

Description: Mr. Tom Trimbur of the DPW advises that 55 percent of the property owners in the Inner Sunset District have petitioned the City for the undergrounding of utilities in the district, in order to eliminate overhead wires and have new street lighting installed. The utility companies, which would have their wires and cables installed underground, consist of PG&E, TCI and Pacific Bell. Because the proposed undergrounding of utilities would also require the removal of wooden poles which currently contain existing street lighting, the petitioning owners have also requested that new street lighting be installed in conjunction with the proposed underground district. The proposed new street lighting would be wired underground. Attachment I is a Map of the streets that would be included in the underground utilities district in the Inner Sunset District.

The proposed ordinance (File 52-96-6) would create Underground District No. 327, for the purposes of eliminating overhead utility wires and cables, and enable the utility companies of PG&E, Pacific Bell and TCI to install their wires and cables underground.

The proposed resolution (File 52-96-6.1) would begin the proceedings to form Assessment District No. 96-3, which is a method by which property owners can have new street lighting installed in an underground utilities district, instead of the existing street lighting which utilizes overhead wires. The proposed resolution would also require that the DPW issue an Engineer's Report, which would specify (1) which type of street lighting should be implemented, (2) identify costs and (3) identify a method to apportion assess the costs of installing the street lighting to the property owners.

According to Mr. Trimbur, utility companies including PG&E, Pacific Bell and TCI, will pay for the undergrounding of their wires and cables, at no cost to the City and the City would be responsible for advancing funds for the new street lighting (See Comments No's 1 and 2 below).

Comment:

1. According to Mr. Trimbur, property owners in the proposed Underground District No. 327, must pay private electrical contractors for 100 percent of the costs to rewire their property in order to accept the new utility and cable connections coming into the ground floor of each structure. The properties would be rewired specifically for utility services. The new street lighting would be installed separately by the DPW (See Comment 2 below). Mr. Trimbur reports that the cost for each property owner would range from $1,000 to $1,500 for the rewiring of PG&E, Pacific Bell and TCI utility services. Such costs will be payable directly from the property owner to private electrical contractors.

2. Mr. Trimbur estimates that 603 properties, including condominiums, would be affected from the proposed undergrounding of utilities and the installation of new street lighting. Mr. Trimbur advises that the DPW would be responsible for installing the street lighting, which would be wired underground. Mr. Trimbur reports that the DPW would hire an outside contractor to complete the work. The proposed resolution (File 52-96-6.1) specifies that funds for the installation of the new street lighting would be advanced from Hetch Hetchy. Mr. Trimbur reports that property owners would then be assessed the full cost for the street lighting installation as part of their Property Tax bill. Mr. Trimbur reports that the assessments paid by the property owners on their Property Tax bills to the City would then be used to reimburse Hetch Hetchy for the funds which Hetch Hetchy advanced for this project. Mr. Trimbur estimates that the total cost for installing the new street lighting would be approximately $600,000. According to Mr. Trimbur, for a 25-30 foot frontage lot, which represents the average footage, the estimated cost would be $1,500 to $2,000 per property owner.

3. In summary, the average property owner would pay a total of approximately $2,500 to $3,500 consisting of (1) $1,000 to $1,500 for the rewiring of utilities, payable directly to private

electrical contractors and (2) $1,500 to $2,000 for the installation of new street lighting, which would be paid to the City, through an amount assessed upon the property owner's Property Tax bills. The assessments paid to the City by the property owners for the new street lighting, would in turn be used to reimburse Hetch Hetchy for funds advanced by Hetch Hetchy for the new street lighting. As previously noted, PG&E, Pacific Bell and TCI would pay for all costs for the undergrounding of their wires and cables, at no cost to the City.

4. The Public Works Code requires that the DPW hold a public hearing regarding the proposed Underground District (File 52-96-6). The DPW reports that two public hearings were held, the first on August 14, 1996 and the second on August 28, 1996, The DPW reports that a total of eight protests were voiced at the two hearings, seven protests were received in writing and five protests were received by telephone. The DPW advises that on completion of the Engineer's Report regarding the installation of the street lighting, a separate public hearing would be held in order for members of the public to be given another opportunity to file any protests. A separate resolution would then be submitted to the Board of Supervisors to request authorization to proceed with the formation of an Assessment District. Attachment II provided by Mr. Trimbur describes the protests which were received.

5. Mr. Trimbur estimates that the Engineer's report, which would be prepared by the DPW, would cost an estimated $8,000, which is included in the $600,000 total project cost estimate. The funds required for the Engineer's report would initially be advanced through Hetch Hetchy funds. The Engineer's report would estimate the City's costs for the installation of street lighting in the underground utilities district, and develop a plan to proportionately assess these costs to property owner's based on their lot size. Mr. Trimbur indicates that a lien would placed upon the property owner's residences if they fail to pay back to the City their share of the estimated $600,000 for the total project cost.

6. Mr. Trimbur advises that it should be noted that, if the Board of Supervisors approves the proposed ordinance (File 52-96-6) and the proposed resolution (File 52-96-6.1), and it was later determined by the Board of Supervisors, DPW and the Inner Sunset residents, based upon the Engineer's report, that the cost to proceed with the installation of the new street lighting is prohibitively high, the Board of Supervisors, DPW

and Inner Sunset residents would need to reevaluate whether or not the project should proceed as planned. If the project did not proceed, then property owners would not be assessed for the Engineer's report, and the estimated $8,000 advanced by Hetch Hetchy for the preparation of the Engineer's Report would be absorbed by Hetch Hetchy. Mr. Trimbur reports that while it is possible that the Engineer's report could result in the determination that the cost to proceed with the street lighting project is prohibitively high, historically no such finding has ever occurred in connection with such street lighting assessment projects.

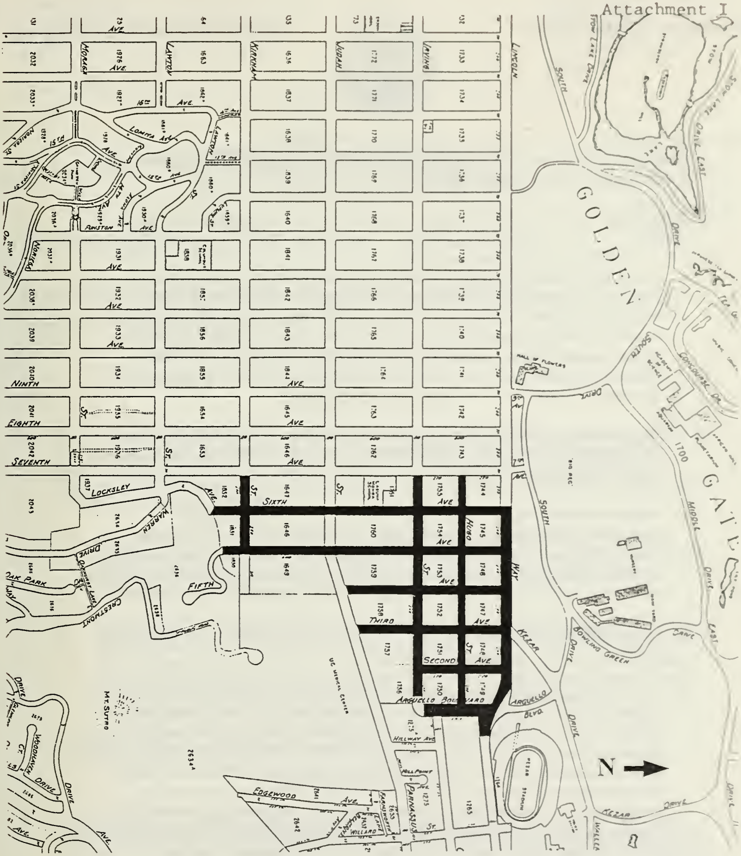
7. Mr. Trimbur estimates that the Engineer's report would be completed within 12 months. According to Mr. Trimbur, the undergrounding of utilities would take approximately 9 months to complete. According to Mr. Trimbur, the project will be constructed in two phases and construction, which should begin in 18 months, should be completed, including the installation of the new street lights, in approximately 36 months.

Recommendation: Approve the proposed ordinance (File 52-96-6) and the proposed resolution (File 52-96-6.1).

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
President Shelley
Supervisor Yaki
Clerk of the Board
Controller
Steve Agostini
Paul Horcher
Ted Lakey

Attachment I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IRVING
JUDAH
KIRKHAM
LAWTON
MORAGA
NORIEGA
SIXTH AVE
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THIRD
SECOND AVE
HUGO ST.
ARGUELLO BOULEVARD
KEZAR DRIVE
LOCKSLEY
WARREN DRIVE
CRESTMONT
OAK PARK
EDGEWOOD AVE.
PARNASSUS ST.
HILLWAY AVE
WILLARD
MT. SUTRO
WOODHAVEN CT.
SEVENTH
EIGHTH
NINTH
LOMITA AVE
15TH AVE
16TH AVE.
FUNSTON AVE
SOUTH DRIVE
MIDDLE DRIVE
BOWLING GREEN DRIVE
CONCOURSE DR.
KEZAR STADIUM
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INNER SUNSET
UNDERGROUND ASSESSMENT DISTRICT

▬ STREETS TO BE UNDERGROUNDED - ADJACENT PROPERTIES TO BE ASSESSED

8/28/96

Attachment II

Department of Public Works **Bureau of Street-Use & Mapping**

Summary of Protests received in conjunction with the proposed Gough/Green and Inner Sunset Undergrounding Districts

Protests against the formation of underground districts may be categorized into several groups.

- People are opposed to paying an assessment for the provision of streetlights. In general we estimate that the cost for a "typical" lot which is 25 to 30 feet wide would be $1,500 to $2,000. The impact of this cost, which appears on the tax bill, may be lessened by allowing that the cost may be paid over a five year period. In addition, for low income seniors and disabled individuals, there is a State of California program which allows this cost, or any portion of the tax bill, to be postponed until the property is sold.

- People are opposed to the costs associated with the conversion of their properties. For single family residences, we provide information on the CERF program for low interest loans for such conversions.

- People are concerned with the disruption which will be caused during the construction. During construction the utility companies are in front of any one property for one to two days. If work is not completed at the end of a day, trenches are made safe and plated during the evening hours. Typical traffic routing and parking restrictions which are applicable to all excavation in the street area are maintained.

- For the proposed Gough/Green district all protests concerned the cost to the property owners.

- For the proposed Inner Sunset district, in addition to costs, there was some concern regarding loss of parking and congestion during construction. Additionally, one citizen was concerned about the safety of underground wires during an earthquake. He was informed that PG&E has found that in general, undergrounded wiring is safer during earthquakes and that overhead wires provide a hazard during fires. Finally, one property owner objected due to the fact that MUNI overhead wires were to remain along Irving Street and that owners along this street should be assessed less. The Department is recommending that the Engineer's Report study placing the lights on existing MUNI poles and that the assessment reflect the cost of such an engineering solution.

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TOTAL P.01

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10/10/96

CALENDAR Action Taken

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT
OCT 17 1996
SAN FRANCISCO
PUBLIC LIBRARY

THURSDAY, OCTOBER 10, 1996 – 10:00 A.M. Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng, Amos Brown

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   (a) File 40-96-21. [Residential Parking Area "U", South of Market] Resolution amending the boundaries of Residential Permit Parking Area "U" in the South of Market Area to include Lot 45 of Block 3774 (557 and 559 Second Street). (Department of Parking and Traffic)

   (b) File 40-96-22. [Residential Parking Area "D", Glen Park] Resolution extending the boundaries of Residential Permit Parking Area "D", in the Glen Park Area and adding Baden Avenue, between Monterey Boulevard and Mangels Avenue, both sides, and Joost Avenue, between Congo Street and Baden Avenue, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

   ACTION: Consent Calendar recommended.

REGULAR CALENDAR

2. File 223-96-31. [Liquor License, 530 Mason Street] Hearing to consider that the transfer of a Type 21 off-sale general alcohol beverage license from 2575 San Bruno Avenue to Mazen and Dina Zughyar for Mason Liquor and Deli located at 530 Mason Street, will serve the convenience and necessity of the people of the City and County of San Francisco. Filed by Mazen Zughyar and Dina Zughyar.
   Consideration continued from 9/12/96)

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the transfer of a Type 21 off-sale general alcohol beverage license from 2575 San Bruno Avenue to Mazen and Dina Zughyar for Mason Liquor and Deli, located at 530 Mason Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

3. File 190-96-7. [Parking Study-West Civic Center Area] Resolution urging the Parking and Traffic Commission to instruct the Department of Parking and Traffic to undertake a long-term parking study of the West Civic Center area. (Supervisor Kaufman)

   ACTION: Hearing held. Amended.on page 1, line 3, and on page 2, line 8, after "area," by adding "keeping in mind the City's transit first policy." Further amended on page 2, line 8, after "parking," by adding "and transit." Recommended as amended. New title: "Urging the Parking and Traffic Commission to instruct the Department of Parking and Traffic to undertake a long-term parking and transit study of the West Civic Center area, keeping in mind the City's transit first policy."

4. File 52-96-3. [Underground District, Cesar Chavez Street] Ordinance creating Underground District No. 323 along Cesar Chavez Street. (Department of Public Works)

   ACTION: Hearing held. Recommended.

5. File 52-96-4. [Underground District, Duboce Avenue] Ordinance creating Underground District No. 324 along Duboce Avenue. (Department of Public Works)

   ACTION: Hearing held. Recommended.

6. File 52-96-5. [Underground District, Gough/Green Streets] Ordinance creating Underground District No. 325 in the Gough/Green Streets District; companion measure to File 52-96-5.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

7. File 52-96-5.1. [Lighting Assessment District, Gough/Green Streets] Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4, Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Gough/Green Streets District; companion measure to File 52-96-5). (Department of Public Works)

   ACTION: Hearing held. Recommended.

8. File 52-96-6. [Underground District, Inner Sunset District] Ordinance creating Underground District No. 327 in the Inner Sunset District; companion measure to File 52-96-6.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

9. File 52-96-6.1. [Lighting Assessment District, Inner Sunset] Resolution determining to undertake proceedings to form an assessment district pursuant to Article 4, Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Inner Sunset District; companion measure to File 52-96-6. (Department of Public Works)

   ACTION: Hearing held. Recommended.

10. File 271-96-2. [Fulton Street Mall Design Guidelines] Resolution approving a text amendment to the Civic Center Area Plan of the San Francisco General Plan to reference the Fulton Street Mall Design Guidelines adopted by the Planning Commission, and incorporating by reference findings pursuant to the California Environmental Quality Act relating to the Fulton Street Mall, as analyzed in the San Francisco Main Library Final Environmental Impact Report, Case No. 90.808E and re-evaluated in the Asian Art Museum Project EIR Addendum to that Environmental Impact dated May 1, 1996. (Planning Department)
(Planning Commission Resolution No. 14165, adopting Fulton Street Mall Design Guidelines, dated July 25, 1996.)

ACTION: Hearing held. Recommended.

CALENDAR

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

SF
590.46
#1
0/24/96

THURSDAY, OCTOBER 24, 1996, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng, Amos Brown

CLERK: Gail Johnson

* * * * * * * * * * * * * * *

Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

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For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   (a) File 18–96–15. [Stop Signs] Hearing to consider establishing stop signs at various locations. (DPT Order No. 1167.) (Department of Parking and Traffic)

   Stop Signs – Establish

   Corona Street and Urbano Drive (south intersection), northwest and southeast corners, stopping Corona Street traffic (makes this intersection an all–way stop).

   Hermann and Steiner Streets, northeast corner, stopping Hermann Street traffic (stops the stem of this T–intersection).

   Mangels and Valdez Avenues, northwest and southeast corners, stopping Valdez Avenue traffic (makes this intersection a two–way stop).

   Santa Paula Avenue and Santa Monica Way, northeast and southwest corners, stopping Santa Monica Way traffic (makes this intersection a two–way stop).

   (b) File 40–96–26. [Residential Parking Area "D," Glen Park] Resolution extending the boundaries of Permit Parking Area "D," in the Glen Park Area and adding Chilton Avenue, from Bosworth Street to the south end, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(c) File 19–96–13. [Parking Regulations, Various Locations] Hearing to consider rescinding and establishing parking regulations, various locations. (DPT Order No. 1167.) (Department of Parking and Traffic)

Perpendicular (90–Degree Angle) Parking – Rescind
First Street, west side, between Minna and Natoma Streets (restores parallel parking).

Diagonal (45–Degree Angle) Parking – Rescind
Perpendicular (90–Degree Angle) Parking – Establish
Spear Street, east side, from Market Street to 211 feet southerly (211–foot zone, adds seven parking spaces).

Tow–Away, No Parking Anytime – Establish

Spear Street, west side, from Market Street to 265 feet southerly (265–foot zone, eliminates Meter Nos. 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24).

Perpendicular (90–Degree Angle) Parking – Rescind (3–Month Trial Period)
Main Street, east side, from Harrison Street to 260 feet southerly (260–foot zone).

No Parking Anytime – Establish
Seventeenth Street, south side, from 85 feet to 135 feet east of Temple Street (50–foot zone, in front of Corbin Place stairs).

Sanchez Street, dead–end portion, north of Twentieth Street (end of cul–de–sac).

No Parking Anytime – Establish
Alemany Boulevard, east side, from Naglee Avenue to 100 feet southerly (100–foot zone).

Alemany Boulevard, east side, from Foote Avenue to 40 feet southerly (40–foot zone).

Alemany Boulevard, west side, from Foote Avenue to 40 feet northerly (40–foot zone).

No Parking Anytime – Establish
Union Street, north side, from Battery Street to 46 feet westerly (46–foot zone).

No Parking, 6:30 a.m. – 6:00 p.m., Monday Through Saturday – Establish
Union Street, south side, from 45 feet to 81 feet west of Battery Street (36–foot zone, eliminates four perpendicular stalls at Meter Nos. 111, 113, 115 and 117).

(d) File 20-96-17. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations, various locations. (DPT Order No. 1167.) (Department of Parking and Traffic)

Bicycle Lanes – Establish
Dewey Boulevard, both sides, between Laguna Honda Boulevard and Dewey Circle (Taraval Street, Claremont Boulevard, Kensington Way, and Montalvo Avenue).

Multiple Turn Lane – Rescind
Left Lane Must Turn Left – Establish
Sixteenth Street, westbound, at Market and Noe Streets.

One-Way Street – Establish
Iron Alley, westbound, between Corbett Avenue and Graystone Terrace.

Taxi Zone – Establish
Castro Street, west side, from 114 feet to 136 feet south of Market Street (22-foot zone, just south of sidewalk bulb).

Tow-Away, No Stopping Anytime – Establish
King Street, north side, between Fourth and Fifth Streets.

Market Street, east side, between Mono and Eagle Streets.

Tow-Away, No Stopping, 7 a.m. – 9 a.m., Monday Through Friday – Establish
Second Street, east side, between King and Berry Streets.

Tow-Away, No Stopping, 7 a.m. – 6 p.m., Monday Through Friday – Rescind
Tow-Away, No Stopping, 7 a.m. – 7 p.m., Monday Through Friday – Establish
Sacramento Street, north side, between Drumm and Kearny Streets (extends existing regulation to 7 p.m.).

Tow-Away, No Stopping, 4 p.m. – 6 p.m., Monday Through Friday – Rescind
First Street, east side, between Natoma and Howard Streets.

Tow-Away, No Stopping 7 a.m. – 9 a.m. and 3 p.m. – 7 p.m., Monday Through Friday – Rescind
First Street, west side, between Minna and Natoma Streets.

Left Lane Must Turn Left – Establish (Three-Month Trial Period)
Main Street, northbound, at Harrison Street.

Tow-Away, No Stopping Anytime – Establish
Stanyan Street, west side, between Fell Street and John F. Kennedy Drive.

Tow–Away, No Stopping, 4 p.m. – 6 p.m., Everyday – Establish
Stanyan Street, west side, from Fell Street to 150 feet northerly (150–foot zone).

No Left Turn – Rescind
Stanyan Street, southbound, at John F. Kennedy Drive.

No Turn on Red – Establish
Stanyan Street, southbound, at John F. Kennedy Drive.

Right Turn Only – Establish
Oak Street, westbound, at Stanyan Street.

Tow–Away, No Stopping, 9 a.m. – 7 p.m., Everyday – Establish
Fell Street, north side, from Stanyan Street to 135 feet easterly (135–foot zone).

Tow–Away Lane Must Turn Right – Establish
Fell Street, westbound, at Stanyan Street.

One–Way Street – Rescind
Sansome Street, northbound, between Bush and Washington Streets.

Buses and Commercial Vehicles Only – Establish
Sansome Street, west curb lane (southbound), between Bush and Washington Streets.

Tow–Away, No Stopping, 3 p.m.– 6 p.m., Monday Through Friday – Rescind
Tow–Away, No Stopping, 3 p.m. – 7 p.m., Monday Through Friday – Establish
Sansome Street, east side, between Bush and Washington Streets.

Tow–Away, No Stopping, 3 p.m. – 7 p.m., Monday Through Friday – Rescind
Tow–Away, No Stopping, 7 a.m. – 7 p.m., Monday Through Friday – Establish
Sansome Street, east side, from California Street to 70 feet southerly (70–foot zone, eliminates Meter Nos. 226, 228 and 230).

Sansome Street, east side, from Clay Street to 55 feet southerly (55–foot zone, eliminates Meter Nos. 424 and 426).

Note: The following items for Second Street are proposed for a three–month trial period.

Multiple Turn Lanes – Establish
Second Street, northbound, at Harrison Street (within channelized right turn area).

No Right Turn – Establish
Second Street, northbound, at Harrison Street (from the No. 2 lane, north of the traffic island).

Tow–Away Lane Must Turn Right – Establish
Second Street, northbound, at Bryant Street.

Tow–Away, No Stopping, 4 p.m. – 7 p.m., Monday Through Friday – Establish
Second Street, east side, between Brannan and Bryant Streets.

Tow–Away, No Stopping, 4 p.m. – 7 p.m., Monday Through Friday, Except Transit – Establish
Second Street, east side, between Bryant and Harrison Streets.

Mid–Block Crosswalk – Establish
Union Street, from 120 feet to 150 feet west of Battery Street (30–foot wide crosswalk, opposite Ice House Alley).

ACTION:

REGULAR CALENDAR

2. File 10–96–8. [Encroachment Permit, Polk/Myrtle Streets] Resolution granting revocable permission to DPR Construction, Inc. to temporarily close and and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for demolition and related construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Department of Public Works)

   ACTION:

3. File 10–96–9. [Encroachment Permit, 21st Street/Treat Avenue] Resolution granting revocable permission to S.J. Amoroso Construction Company, Inc. to temporarily close and occupy the south sidewalk and a portion of the street area on 21st Street and the east sidewalk and a portion of the street area on Treat Avenue during construction operations at Moscone Elementary School at 2576 Harrison Street (Block 3613, Lot 1). (Department of Public Works)

   ACTION:

4. File 247–96–1. [Redevelopment Survey Area, North of Market] Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law. (Supervisor Bierman)
   (Consideration continued from 9/26/96)

   ACTION:

5. File 24-96-5. [Appeal, Sidewalk Encroachment, 2430 Pacific Avenue] Communication received from Jennifer R. Maniar, appealing the decision of the Department of Public Works by its letter dated August 13, 1996, approving the issuance of a Minor Encroachment Permit for the construction of two (2) planter boxes and a warped driveway ramp, which would encroach into the public right-of-way fronting the property at 2430 Pacific Avenue. The approval of the Encroachment Permit shall be conditioned upon a valid building permit being obtained from the Department of Building Inspection for the construction of the new garage within the basement area of the subject property.

   ACTION:

6. File 114-96-1. [Military Bases – Building Code Requirements] Ordinance amending Building Code by adding Section 3406 to implement California Health and Safety Code Section 18941.7, which authorizes the City under specified conditions to allow a building or other structure located on a military base selected for closure to comply with Building Code requirements in a graduated manner over a period of no more than 10 years. (Supervisor Shelley)

   ACTION:

7. File 169-96-4. [Street Artists] Resolution designating temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Art Commission, City and County of San Francisco, for the winter holiday season, 1996, beginning on November 15, 1996 and ending on January 15, 1996. (Supervisors Teng, Bierman, Alioto)

   ACTION:

8. File 271-96-3. [General Plan Amendment, Terminal Separator] Resolution approving amendments to the San Francisco General Plan in order to conceptually approve the Mid-Embarcadero Replacement Project and the terminal separator structure replacement project. The amendments were adopted by the Planning Commission by Resolution No. 14194 on September 19, 1996, incorporating by reference findings pursuant to the California Environmental Quality Act as analyzed in the Final Environmental Impact Report for the alternatives to replacement of the Embarcadero Freeway and the terminal separator structure, File No. 92.202E/94.060E; companion measure to Files 85-96-2 and 85-96-3). (City Administrator-Waterfront Transportation Projects)

   (Planning Department Resolution No. 14195 adopted 9/19/96 finding the project consistent with the eight Priority Policies and in conformity with the General Plan)

   ACTION:

9. File 85-96-2. [Mid-Embarcadero Separator Structure Project] Resolution adopting findings under the California Environmental Quality Act, approving the DPT variant of the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project, and authorizing Department of Public Works to accept and expend Federal Emergency Relief funds; companion measure to Files 85-96-3 and 271-96-3. (Also see File 85-95-5.) (City Administrator-Waterfront Transportation Projects)

   ACTION:

10. File 85-96-3. [Urban Design Concept, Mid-Embarcadero Project] Resolution endorsing the urban design concept for the Mid-Embarcadero Roadway and Open Space subject to design criteria approved by the Port Commission and limiting improvements on Assessor's Blocks 202 and 203; companion measure to Files 85-96-2 and 271-96-3). (Also see File 85-95-5.) (City Administrator Waterfront Transportation Projects)

    ACTION:

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 308
SAN FRANCISCO, CA 94102

IMPORTANT
HEARING NOTICE

Bill Lynch
Documents Section
41 Main Library-Civic Center
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Public Library, Documents Dept.

Attn: Kate Wingerson

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10/24/96

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

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October 22, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting [illegible]

SUBJECT: October 24, 1996 Housing and Land Use Committee Meeting

Item 2 - File 10-96-8

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to DPR Construction, Inc. to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for demolition and related construction operations at 1000 Van Ness Avenue/901 Polk Street.

Description: The proposed resolution would grant revocable permission to DPR Construction, Inc. to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street, for demolition and related construction operations to a building at 1000 Van Ness Avenue/901 Polk Street pertaining to the remodeling of the building to provide for the addition of retail outlets, including a movie theater. The remodeled building will have an entrance at 1000 Van Ness Avenue and an entrance at 901 Polk Street.

The permission would be granted retroactive to September 18, 1996 through September 17, 1996, a one year period. Mr. Nick Elsner of the DPW advises that DPR Construction, Inc. has occupied the subject areas since September 18, 1996. Therefore, the proposed resolution should be amended to retroactively grant revocable permission to DPR Construction, Inc. to temporarily occupy the subject areas.

The Board of Supervisors would be authorized to revoke at will the permission to be granted to DPR Construction, Inc. In addition, permission would automatically be terminated if DPR Construction, Inc. failed to continue to maintain insurance coverage for the temporary closure of the sidewalk and portion of the street area. Mr. Elsner advises that DPR Construction, Inc. has provided evidence of the insurance coverage required by DPW.

Comment: DPR Construction, Inc. is required to pay a non-refundable fee of $65,000 for the 12 months of occupancy and a $500 processing fee. Mr. Elsner advises that DPR Construction, Inc. has paid the $500 processing fee, but has not yet paid the fee of $65,000. Mr. Elsner advises that DPR Construction, Inc. is to pay the $65,000 fee following approval of the proposed resolution.

Recommendations:

1. Amend the proposed resolution to provide for retroactive actions.

2. Approve the proposed resolution as amended.

Item 3 - File 10-96-9

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to S.J. Amoroso Construction Company, Inc. to temporarily close and occupy the south sidewalk and a portion of the street area on 21st Street and the east sidewalk and a portion of the street area on Treat Avenue during the construction operations at Moscone Elementary School at 2576 Harrison Street.

Description: The proposed resolution would grant revocable permission to S.J. Amoroso Construction Company, Inc. to temporarily close and occupy (a) the south sidewalk and a portion of the street area on 21st Street, and (b) the east sidewalk and a portion of the street area on Treat Avenue during the construction operations at the Moscone Elementary School, located at 2576 Harrison Street. The permission would be granted from the date of approval of the proposed resolution by the Board of Supervisors for a one-year period, or approximately through October 31, 1997.

The Board of Supervisors would be authorized to revoke at will the permission to be granted to S.J. Amoroso Construction Company, Inc. In addition, permission would automatically be terminated if S.J. Amoroso Construction Company, Inc. failed to continue to maintain insurance coverage for the temporary closure of the sidewalk and portion of the street area. The permission would not become effective until S.J. Amoroso Construction Company, Inc. has provided evidence of the insurance coverage required by DPW.

Comment: S.J. Amoroso Construction Company, Inc. is required to pay a non-refundable fee of $28,000 for the approximately one-year period of occupancy and a $500 processing fee. Mr. Nick Elsner of DPW advises that S.J. Amoroso Construction Company, Inc. has paid the $500 processing fee, but has not yet paid the fee of $28,000. Mr. Elsner advises that S.J. Amoroso Construction Company, Inc. is to pay the $28,000 fee following approval of the proposed resolution.

Recommendation: Approve the proposed resolution.

Item 4 - File 247-96-1

Note: This item was continued by the Housing and Land Use Committee at its meeting of September 26, 1996.

Department: San Francisco Redevelopment Agency (SFRA)

Item: Resolution designating and describing a Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law.

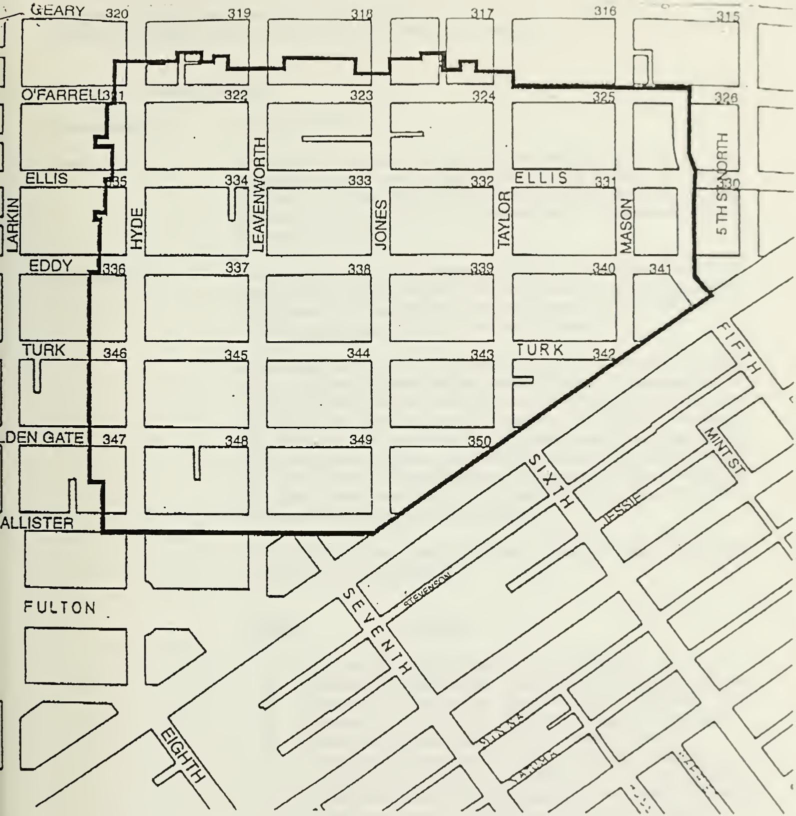
Description: The proposed resolution would designate a survey area in order to study the feasibility of a redevelopment effort in the area bounded roughly by Market, McAllister, Hyde, O'Farrell and Cyril Magnin Streets (see Attached map), to be known as the North of Market Survey Area. A survey area is land designated for analysis which will determine its redevelopment status.

Designation of a site as a survey area is a required first step in evaluating the redevelopment potential of an area. If the proposed resolution is approved, the Redevelopment Agency would then (a) study the area to determine if it meets the criteria for redevelopment under the California Community Redevelopment Law, and (b) develop a Preliminary Plan, which would incorporate the vision of the North of Market community for the area, the zoning and use of the land, and the economic development necessary for redevelopment to be realized. Once the Preliminary Plan is completed, it would be submitted to the City Planning Commission for a determination as to whether the Preliminary Plan conforms to the City's General Plan (formerly the Master Plan). In addition, an Environmental Impact Report (EIR) would be developed for the project. Both the Final Redevelopment Plan and the EIR would then be submitted to the Board of Supervisors for approval.

Comment: 1. Ms. Gail Goldman of the SFRA reports that production of the Preliminary Redevelopment Plan, the Final Redevelopment Plan, and the EIR for the North of Market Survey Area is estimated to take approximately 12 to 18 months to complete and cost approximately $670,000. Ms. Goldman advises that of the total amount of $670,000, $500,000 was included in the Redevelopment Agency's FY 1996-97 budget. Ms. Goldman advises that in order to fund the balance of $170,000, the Redevelopment Agency would request an amendment to the FY 1996-97 Redevelopment Agency budget to increase expenditures by $170,000 for the development of the North of Market Survey Area. The request would be subject to approval by the Board of Supervisors, advises Ms. Goldman.

2. Ms. Goldman advises that the establishment of the proposed redevelopment survey area north of Market Street is supported by many residents, property owners, and other interested parties in the area, including a non-profit organization, the North of Market Planning Coalition, which has conducted an extensive planning and community participation process over the last two years on economic development needs and other issues in the area.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.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SEVENTH
EIGHTH

NORTH OF MARKET
PROPOSED SURVEY AREA

EXHIBIT I

1" = 400' - 0"

TSD-SA-ET-4/16/96

Item 7 - File 169-96-4

Department: Art Commission

Item: Resolution designating temporary selling spaces in the downtown area and at the Harvey Milk Plaza, for Street Artists certified by the Art Commission, for the winter holiday season, beginning on November 15, 1996 and ending January 15, 1997.

Description: The Street Artists Ordinance, adopted by the San Francisco electorate in 1975, authorizes the Board of Supervisors to designate, by resolution, areas where Street Artists or Craftspersons may sell arts and crafts items.

According to the Art Commission, the winter holidays are the Street Artists' busiest selling period. The Art Commission is recommending renewal of 59 of the prior year's 66 temporary selling spaces for the period November 15, 1996 to January 15, 1997. According to the Art Commission, the remaining seven temporary spaces were converted to permanent spaces last fiscal year. Of the 59 temporary spaces, 52 are located in the downtown area and 7 are located at the Harvey Milk Plaza, at Market and Castro Streets.

The 59 temporary selling spaces listed in the proposed legislation, are as follows:

No. of Spaces	Location
12	Market St., south side, 4th to 5th Streets
5	Market St., north side, Montgomery to Kearny Streets
2	Market St., north side, Grant to Kearny Streets
10	Market St., north side, Battery to Sansome Streets
5	Stockton St., west side, Post to Sutter Streets
1	Stockton Street, east side, Post to Sutter Streets
6	Stockton Street, east side, O'Farrell to Geary Streets
3	Stockton Street, east side, Market to O'Farrell Streets
1	Post Street, south side, Grant to Kearny Streets
5	California Street, north side, Sansome to Montgomery Streets
2	California Street, south side, Sansome to Montgomery Streets
3	Harvey Milk Plaza (upper level)
4	Harvey Milk Plaza (lower level)
59	Total

Comments:

1. Section 2405 (c)(8)(1) of the Police Code prohibits Street Artists from selling, offering for sale or soliciting offers to purchase on any sidewalk adjacent to a curb which has been designated as a white zone (passenger unloading zone). The proposed legislation would authorize the exemption from the provisions of Police Code Section 2405 (c)(8)(1) of seven of the above-noted 59 temporary spaces. The seven temporary spaces would each be adjacent to curbs which have been designated as a white zone and, as such, an exemption to this provision would be required. The seven temporary spaces to be exempted, are as follows: (1) five temporary spaces on the west side of Stockton Street, Post to Sutter Streets, (2) one temporary space on the east side of Stockton Street, Post to Sutter Streets and (3) one temporary space on the south side of Post Street, Grant to Kearny Streets.

2. Mr. Howard Lazar of the Street Artist Program notes that there are currently eight permanent Street Artist selling spaces in the Stockton Street vicinity, which are adjacent to white zones. Mr. Lazar advises that no complaints have been registered against the Street Artists located at these sites for obstructing passenger unloading. According to Mr. Lazar, the width of the sidewalk, together with the fact that the Street Artists' displays are required to be positioned five feet apart, essentially allows for sufficient space for passengers to unload without being obstructed by the Street Artists' displays. Mr. Lazar adds that the seven requested temporary spaces would similarly allow for sufficient space for passengers to unload.

3. Section 2405 (c)(6) of the Police Code prohibits Street Artists from selling, offering for sale or soliciting offers to purchase on any sidewalk within 12 feet from the outer edge of any entrance to a building. The proposed legislation would also authorize the exemption from the provisions of Police Code Section 2405 (c)(6) of 12 of the above-noted 59 temporary spaces. The 12 temporary spaces, would each be within less than 12 feet from the entrance of a building and, as such, an exemption to this provision would be required. The 12 temporary spaces are as follows: (1) one temporary space on the west side of Stockton Street, Post to Sutter Streets, (2) two temporary spaces on the east side of Stockton Street, Market to O'Farrell Streets, (3) five temporary spaces on the south side of Market Street, 4th to 5th Streets and (4) four temporary spaces in the lower level of the Harvey Milk Plaza.

4. According to Mr. Lazar, the 12 above-noted temporary spaces, which would be exempt from the provisions of Section 2405 (c)(6), will be located in the exact same areas of the sidewalk that they have occupied during the previous winter holidays.

5. In addition to the 59 renewal spaces noted above, the Art Commission is also recommending one new temporary space, on the west side of Stockton Street, O'Farrell to Geary Streets, bringing the total number of spaces being recommended to 60. The proposed legislation does not list this new temporary space. As such, the proposed legislation should be amended to add this one new temporary space.

6. The Art Commission advises that four of the six temporary spaces located on the east side of Stockton Street, O'Farrell to Geary Streets will be relocated to the west side of Stockton Street, O'Farrell to Geary Streets. The Art Commission advises that relocating these four spaces is necessary in order to accommodate a holiday display planned by Neiman Marcus, which will require a rope barrier that will reduce sidewalk passage. As such, the proposed legislation should also be amended to (1) reflect two temporary spaces on the east side of Stockton Street, O'Farrell to Geary Streets, instead of six spaces and (2) to add four temporary spaces on the west side of Stockton Street, O'Farrell to Geary Streets.

7. This is the 15th consecutive year that the Art Commission is submitting a request for temporary selling spaces for Street Artists for the winter holidays.

Recommendations: 1. Amend the propose resolution to add one new temporary space on the west side of Stockton Street, O'Farrell to Geary Streets.

2. Amend the proposed resolution to (1) reflect two temporary spaces on the east side of Stockton Street, O'Farrell to Geary Streets, instead of six spaces, and (2) to add four temporary spaces on the west side of Stockton Street, O'Farrell to Geary Streets.

3. Approval of the proposed resolution, as amended, is a policy matter for the Board of Supervisors.

Items 8, 9 and 10 - Files 271-96-3, 85-96-2 and 85-96-3

Departments:

City Administrator
  Waterfront Transportation Projects Office
Public Transportation Commission (PTC)
Department of Public Works (DPW)

Items:

Item 8, File 271-96-3 - Resolution approving amendments to the San Francisco General Plan in order to conceptually approve the Mid-Embarcadero Replacement Project and the Terminal Separator Structure Replacement Project.

Item 9, File 85-96-2 - Resolution adopting findings under the California Environmental Quality Act, approving the (DPT) variant of the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project, and authorizing DPW to accept and expend Federal Emergency Relief (ER) funds.

Item 10, File 85-96-3 - Resolution endorsing the Urban Design Concept for the Mid-Embarcadero Roadway and Open Space, subject to design criteria approved by the Port Commission and limiting improvements on Assessor's Block Nos. 202 and 203.

Description:

File 271-96-3

The proposed resolution would approve amendments to the City's General Plan, specifically the Northeastern Waterfront component of the plan, in order to conceptually approve the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project. The Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project (Project) is comprised of a complement of improvements on surface streets and freeway ramps to replace the demolished Embarcadero and Terminal Separator Structure freeway (it also includes a Port replacement parking garage). The proposed amendments to the Northeastern Waterfront component of the General Plan consist of (1) deleting text which refers to paired (versus split) roadway, to conform to actual Project plans (2) citing the current number of lanes for the planned Project (3) deleting reference to specifically named streets as locations for signalized pedestrian crossings, (4) rewording of the description of the open space in front of the Ferry Building to reflect the actual proposed open space of the planned Project, (5) adjusting the size of the Rincon Point Park, since the size cited does not correspond to the size of the actual proposed park under the planned Project, and (6) deleting an obsolete Map No. 6., which outlines the proposed Transportation Plan as conceived in 1977.

File 85-96-2

The proposed resolution would adopt findings under the California Environmental Quality Act, approving the DPT variant of the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project, and authorize the DPW to accept and expend Federal ER funds in the amount of $65.6 million.

The Board of Supervisors previously approved legislation (1) endorsing the DPT variant of the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project, (2) requesting the Department of City Planning to incorporate the DPT variant as the preferred alternative in the Draft Environmental Impact Report (EIR), and (3) requesting the City Administrator to take the necessary steps to secure funding for this project at the earliest possible time (File 85-95-5).

The Embarcadero and Terminal Separator segments of the I-480 Freeway were badly damaged in the 1989 Loma Prieta earthquake, and were subsequently removed by the California Department of Transportation (Caltrans).

The DPT variant for the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project, which is estimated to cost between $74.8 to $87.8 million. The Attachment, provided by the Waterfront Transportation Projects Office of the City Administrator describes (1) the Project schedule, and (2) the Project financing including the estimated total cost details and the sources of funds. The DPT variant would have the following major elements:

- The Embarcadero from Howard to Broadway would be a four lane roadway, plus two additional lanes for parking that would be cleared for traffic to make six lanes during peak hours, with the F-line MUNI running in its median area, and bicycle lanes on both sides. The roadway would curve westward in front of the Ferry Building to accommodate a public plaza in that area;

- The Embarcadero roadway from Folsom to Howard would be realigned to accommodate Rincon Park;

- The Fremont Street off-ramp from the I-480 Freeway would be realigned southward to touch down at Folsom and Fremont Streets, the Fourth Street off-ramp would be widened, and the two freeway on-ramps at Sterling and Essex Streets would, at a later date, be made flexible to accommodate either carpool lanes, or mixed use lanes, as required by traffic demand;

- Replacement parking for the Port of San Francisco;

- A variety of lane changes, re-painting of the roadways, and sign changes would be carried out to improve traffic flows throughout the area.

The Board of Supervisors also previously approved legislation in 1991 authorizing the DPW to apply for $58.5 million in Federal ER funds for the Mid-Embarcadero Roadway Project (Resolution 559-91). Additionally, the Board previously approved legislation in 1993 authorizing the DPW to apply for $60.5 million in Federal ER funds for the Terminal Separator Structure (Resolution 633-93-4), bringing the total amount applied for to $119 million. According to the City Administrator, of the $119 million, only $69.6 million has been obligated by Caltrans thus far. The City Administrator advises that of the $69.6 million, approximately $4 million has been expended for environmental studies and preliminary engineering costs, leaving a total of $65.6 million in ER funds, which is the subject of this request for acceptance and expenditure by DPW. The difference between the estimated project costs of up to $87.8 million and the available ER funding of $65.6 million, or a difference of $22.2 million, is expected to come from an additional $800,000 in ER funds (up to $66.4 million as shown in the Attachment less $65.6 million), $10 million in State Flexible Congestion Relief (FCR) funds, $3.2 million in Terminal Separator Structure (TSS) State funds, and up to $8.2 million in local funds including, Port revenue bond funds, Sales Tax and land sale proceeds (see Attachment).

File 85-96-3

The proposed resolution would endorse the proposed Urban Design Concept for the Mid-Embarcadero Roadway and Terminal Separator Structure Replacement Project as set forth in the "Mid-Embarcadero Roadway and Open Space Design Concept Report, completed by Roma Design Group in August of 1996. According to the City Administrator, this Urban Design Concept focuses on the Ferry Building and Central Plaza area, and an expanded Justin Herman Plaza. The Urban Design Concept is in accordance with the urban design criteria approved by the Port Commission, with the exception that improvements to Assessor's Block Nos. 202 and 203 shall be limited to landscape improvements until such time as future public uses, that may be proposed, can be analyzed by the Planning Commission and the Board of Supervisors.

Comments: 1. Ms. Tina Olson of the DPW advises that the requested $65.6 million in ER funds will be used for construction services and construction management costs. Ms. Olson advises that, as of the writing of this report, the DPW has not yet selected the construction contractors. As such, the proposed legislation should be amended to place the $65.6 million on reserve, pending selection of the contractors, the contract cost details and the MBE/WBE status of the contractors.

2. The proposed legislation requests authorization for the DPW to accept and expend ER funds, but does not reference the total amount of the ER funds, which is $65.6 million. As such the proposed legislation should also be amended to add the $65.6 million ER fund amount to the title and the body of the proposed legislation.

Recommendations: 1. Amend the proposed resolution (File 85-96-2) to (1) add the amount of $65.6 million in ER funds to the title and the body of the proposed legislation and (2) place the $65.6 million in ER funds on reserve, pending the selection of the contractors, the contract cost details and the MBE/WBE status of the contractors.

2. Approve the proposed resolution (File 85-96-2), as amended.

3. Approval of the proposed resolutions (Files 271-96-3 and 85-96-3) is a policy matter for the Board of Supervisors

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
President Shelley
Supervisor Yaki
Clerk of the Board
Controller
Steve Agostini
Paul Horcher
Ted Lakey

Attachment
Page 1 of 3

UPDATE OF SCHEDULE AND FINANCIAL ISSUES ASSOCIATED WITH THE MID-EMBARCADERO/TERMINAL SEPARATOR STRUCTURE PROJECT

Waterfront Transportation Projects Office
October 2, 1996

The Waterfront Transportation Projects Office, working in conjunction with the Department of Public Works and staff of the Public Transportation Commission have been refining the schedule, cost estimates, and financing strategy for the Mid-Embarcadero/Terminal Separator Structure Projects as we move closer to final design. The information below summarizes our latest information on the project implementation. More detail is available upon request.

Project Schedule

The current schedule for approval, design and construction of the Mid-Embarcadero Project is as follows:

Certification of FEIR	September 19, 1996
Board of Supervisors Project Approval	November 4, 1996
BCDC Approval	November 21, 1996
MTC 2270 Approval	November 1996
FHWA Record of Decision	December 1996
Conclude Final Design	June 1997
Award Contract	December 1997
Construction - 24 month duration	December 1999

The goal of staff has been to deliver a completed project by the end of 1999. This would afford a venue for a memorable New Year's Eve celebration as we enter the 21st century, but it also coincides with the delivery of other major projects, such as the ball park, which is expected to be completed in spring of 2000. If we proceed on the current approval schedule, barring any unforeseen circumstances, we believe that we can meet this schedule. The schedule for approvals will be amended as requested by city commissions or members of the Board of Supervisors. Delays in the project approval would result in concomitant delays in the design and construction of the project.

Project Financing

The initial authorization of Emergency Relief Funds to the Bay Area for the Loma Prieta Earthquake damage carried a completion deadline of 3 years for all projects. Having past the three year mark, we are now required annually to request an extension on the use of funds for our project until such time as they are fully obligated for construction. To date we have been successful in receiving these extensions as we have been able to show continued progress in our decision-making process. Based on the schedule outlined above, we have assumed that our request for extension in September 1996 will be the last one required. A delay in the planning or design phase of the project at this point could mean that we need to request an additional extension in 1997 before we can obligate all funds.

The DPT Variant has been determined by the FHWA to be eligible for federal Emergency Relief Funds. The issue for the city now is one of overall availability of funds. Delays to our decision-making process could result in increased risk of not having adequate funds to complete the project.

Our current cost estimates for the combined projects range from $74.8 to $87.8 million depending upon whether we compensate the Port for lost parking based on direct payment or functional replacement of parking and the cost of the parking facility. The funding scenarios are influenced by eligibility of the urban design amenities for federal ER funding, whether we will obtain sales revenues from the parcels obtained as a result of the demolition of the freeway, and the decision regarding parking compensation. Our cost estimate below also incorporates an assumed $5 million cost savings achieved by scaling back the urban design amenities. As the design elements are refined, we will reassess this assumption.

Mid-Embarcadero/TSS Project Costs

Mid-Embarcadero Roadway Total		$41.3 million
Roadway	$35.6 million	
Urban Design Elements [1]	$5.7 million	
Artwork		$2.1 million
TSS Project		$21.4 million
Port Parking		$10.0 to $23.0 million
TOTAL		**$74.8 to $87.8 million**

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[1] This cost estimate already assumes that a $5 million cost savings can be achieved by scaling back the urban design amenities.

Mid-Embarcadero/TSS Project Funding

Federal ER Funds	$53.4 to $66.4 million
State FCR Funds	$10.0 million
TSS State Funds	$3.2 million
Local Funds Required	$2.4 to $8.2 million
TOTAL	**$74.8 to $87.8 million**

Funding issues and trade-offs can be summarized as follows:

Federal - FHWA provided approximately $1.3 billion of ER funds for projects related to the Loma Prieta Earthquake, all of which is currently obligated. In the initial allocation, FHWA programmed $58.5 million for the Mid-Embarcadero Project and $60.5 million for the Terminal Separator Structure (TSS) Replacement Projects, for a total of $119.0 million. Caltrans has, however, obligated only $32 million for the Mid-Embarcadero and $37.6 million for the TSS for a total of $69.6 million. To date, the city has expended approximately $4 million of that obligation leaving $65.6 million in obligated funds available for design and construction of the combined Mid-Embarcadero and Terminal Separator Structure Projects.

The estimated cost for the Cypress Freeway replacement started in the range of $300 million and has tripled over the years. The majority of funds for the Loma Prieta earthquake have been obligated to the Cypress, leaving the obligations to San Francisco less than the programmed amount. To obtain additional ER funding for San Francisco projects at this point, would require congressional action. This would be necessary under a scenario that provides a replacement parking garage and assumes ineligibility of urban design amenities for ER funding. This would occur at a time of increased scrutiny over the expenditures of ER funds in California.

State - The State Transportation Improvement Program (STIP) includes approximately $15 million in State Flexible Congestion Relief (FCR) funds available for the Mid-Embarcadero Roadway Project. It is the staff proposal to reserve $5 million of these funds for construction of the Muni Metro Extension/F-Line Connector Project, thereby leaving $10 million available for the roadway project.

Local Funds -The amount of local funds required for the project is dependent upon the eligibility of urban design elements for federal funds and the parking decision. The fund estimates range from $2.4 to $8.2 million for the construction phase. The Port has agreed to a revenue bond as the local match contribution if the parking garage is built. The other two possible sources of local funds are Sales Tax and land sale proceeds. The maximum amount available from the Sales Tax is $6 million, assuming a minimum reserve for maintenance of the roadway. To date, the sale of parcels that came to the city as a result of the demolition of the freeway has been very controversial and no action on disposition has been taken. If urban design elements are not eligible for federal funds, then we will need to further scope back the project or secure revenues from the sale of parcels if we want to continue to reserve a maintenance fund, through the sales tax, for The Embarcadero.

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, NOVEMBER 14, 1996, 10:00 A.M.

VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng, Amos Brown

CLERK: Gail Johnson

* * * * * * * * * * * * * * *

Disability Access

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #42 Downtown Loop and the #71 Haight/Noriega and the F Line to Market and Van Ness and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:
For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

(a) File 18-96-17. [Stop Signs, Various Locations] Hearing to consider establishing Stop Signs at various locations. (DPT Order No. 1187.) (Department of Parking and Traffic)

Stop Signs - Establish
Twenty-Third Avenue and Irving Street, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way stop).

Bowdoin and Woolsey Streets, northeast and southwest corners, stopping Woolsey Street traffic (makes this an all-way stop).

Craut and Maynard Streets, northeast and southwest corners, stopping Maynard Street traffic (makes this an all-way stop).

Eucalyptus and Everglade Drives, northwest and southeast corners, stopping Everglade Drive traffic (makes this an all-way stop).

(b) File 19-96-14. [Parking Regulations, Various Locations] Hearing to consider rescinding and establishing parking regulations, various locations. (DPT Order No. 1187.) (Department of Parking and Traffic)

No Parking Anytime - Rescind
Tow-Away, No Parking Anytime - Establish

Larkin Street, along the north terminus, north of Chestnut Street (27-foot zone, at dead-end portion of the 2700 block).

Larkin Street, east side of upper portion, north of Chestnut Street (125-foot zone, along the retaining wall on the 2700 block).

Tow-Away, No Parking Anytime - Establish
Bluxome Street, south side, from 13 feet to 25 feet east of the west property line of #340 Townsend Street (12-foot zone).

Perpendicular (90-Degree Angle) Parking - Establish
Broadway, north side, between Leavenworth and Jones Streets.

Broadway, north side, from Leavenworth Street to 140 feet westerly (140-foot zone).

Broadway, south side, from Leavenworth Street to 57 feet westerly (57-foot zone).

30-Minute Parking Time Limit, 8 AM - 6 PM, Monday through Saturday - Establish
Irwin Street, north side, from Seventh Street to 135 feet westerly (135-foot zone).

(c) File 20-96-18. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations, various locations. (DPT Order No. 1187.) (Department of Parking and Traffic)

Bicycle Lanes - Establish
Seventh Avenue, west side (southbound), from 160 feet south of Lawton Street to 200 feet north of Clarendon Avenue.

Laguna Honda Boulevard, east side (northbound), from 300 feet south of Clarendon Avenue to 510 feet south of Noriega Street.

One-Way Street - Rescind
Willow Street, eastbound, between Polk and Larkin Streets.

One-Way Street - Establish
Willow Street, westbound, between Polk and Larkin Streets.

Multiple Right Turn Lane - Rescind
First Street, southbound at Howard Street.

Tow-Away Lane Must Turn Left - Establish

Howard Street, westbound, at Sixth Street.

Tow-Away, No Stopping, 4 PM -6 PM, Monday through Friday - Establish
Howard Street, south side, from Sixth Street to 100 feet easterly (100-foot zone, to accommodate a left turn lane during specified hours).

(d) File 40-96-23. [Residential Parking Area "J", Sunset/Parnassus] Resolution extending the boundaries of Residential Permit Parking Area "J" in the Sunset/Parnassus Heights Area and adding Cole Street, between Parnassus Avenue and Grattan Street, both sides; Cole Street, between Beulah and Carl Streets, both sides; and Carl Street, between Cole and Shrader Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(e) File 40-96-24. [Residential Parking Area "W", SFGH Area] Resolution extending the boundaries of Residential Permit Parking Area "W" in the San Francisco General Hospital Area and adding Florida Street, between Twenty-Fifth and Twenty-Sixth Streets, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(f) File 40-96-25. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle Area and adding Castro Street, between Twentieth and Liberty Streets, both sides; Liberty Street, between Castro and Noe Streets, both sides; and Noe Street, between Twentieth and Liberty Streets, west side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(g) File 40-96-27. [Residential Parking Area "O", West Portal/St. Francis] Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood Area and adding San Benito Way, between St. Francis Boulevard and Monterey Boulevard, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(h) File 40-96-28. [Residential Parking Area "A", Telegraph Hill/North Beach] Resolution extending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill/North Beach Area to include Block 24, Lot 22 (1323 Columbus Avenue). (Department of Parking and Traffic)

(i) File 40-96-29. [Residential Parking Area "S", Duboce Triangle] Resolution extending the boundaries of Residential Permit Parking Area "S", in the Duboce Triangle Area and adding Lily Street, between Laguna and Buchanan Streets, south side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

(j) File 40-96-30. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding Harriet Street, between Folsom and Howard Streets, both sides, to the list of street upon which tme limitations shall apply. (Department of Parking and Traffic)

ACTION:

REGULAR CALENDAR

2. File 34-96-12. Changing Width of Sidewalk, Eagle Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1532 changing the official sidewalk width on the south side of Eagle Street between Mono Street and Market Street, as shown on the Department of Public Works drawing labeled Q-20-460, and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

ACTION:

3. File 223-96-37. [Liquor License Transfer, 401 Broadway Street] Hearing to consider that the transfer of a Type 48 on-sale general public premises licenses to Riley O'Callaghan for Crow Bar, from 3490 California Street to 401 Broadway Street, will serve the convenience of the people of the City and County of San Francisco. Filed by G. Riley O'Callaghan.

ACTION:

4. File 223-96-38. [Liquor License, 1705 O'Farrell Street] Hearing to consider that the issuance of a Type 40 on-sale beer license to Jee Soo Jeon for Cafe Dino located at 1705 O'Farrell Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Jee Soo Jeon.

ACTION:

5. File 223-96-39. [Liquor License Transfer, 1669 Fillmore Street] Hearing to consider that the transfer of a Type 21 off-sale general alcoholic beverage license to Mike Lee (Kyo Yoon Lee) for Fillmore Market located at 1669 Fillmore Street, from a store at 1750 Fillmore Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Mike Lee (Kyo Yoon Lee)

   ACTION:

6. File 223-96-41. [Liquor License, 550 Barneveld Avenue] Hearing to consider that the issuance of a Type 48 on-sale general-public premises license to Steven Chu at 550 Barneveld Avenue, will serve the convenience of the people of the City and County of San Francisco. Filed by Steven Chu.

   ACTION:

7. File 223-96-42. [Liquor License Transfer, 609 Sutter Street] Hearing to consider that the transfer of a Type 42 on-sale beer and wine public premise license to Michael Allen, for The Marines' Memorial Club located at 609 Sutter Street, from the previous operator of the concession at the same location, will serve the convenience of the people of the City and County of San Francisco. Filed by Michael Allen.

   ACTION:

8. File 164-96-1. [Street Vacation/Sale – Portion of Alameda Street] Resolution declaring intention of the Board of Supervisors to vacate portion of Alameda Street between Treat Avenue and Florida Street, and setting the hearing date for all persons interested in the proposed vacation. (Real Estate Department) (Companion to Files 164-96-1.1 and 164-96-1.2)

   ACTION:

9. File 164-96-1.1. [Street Vacation/Sale – Portion of Alameda Street] Ordinance ordering the vacation of the public street easement over a portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) (Companion to Files 164-96-1 and 164-96-1.2)

   ACTION:

10. File 164-96-1.2. [Sale/Exchange of Property – Portion of Alameda Street] Ordinance authorizing the exchange of a former portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) (Companion to Files 164-96-1 and 164-96-1.1)

    ACTION:

11. File 111–96–3. [Tobacco Paraphernalia Interim Zoning Controls] Resolution imposing Interim Zoning Controls to temporarily prohibit the establishment of new enterprises, subject to specified exceptions, that sell tobacco paraphernalia, as defined, in neighborhood commercial individual area districts, as established in Planning Code Section 702.1, in the North of Market Residential Special Use District, as established in Planning Code Section 249.5 and areas adjoining this special use district that are zoned RC–4 (High Density Residential–Commercial Combined) and C–3–G (Downtown General Commercial), as established in Planning Code Sections 206.3 and 210.3 respectively, for an eighteen (18) month period and making a finding of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Alioto)

    (General Rule Exclusion from Environmental Review)

    ACTION:

12. File 161–96–7. [Redevelopment Project Area] Resolution establishing procedures for the election of members to Redevelopment Project Area Committees in the City and County of San Francisco. (Supervisor Bierman)

    ACTION:

13. File 71–96–2. [South Bayshore/Hunters Point Redevelopment] Resolution approving and adopting procedures in the Articles of Formation for a Redevelopment Project Area Committee for the South Bayshore/Hunters Point Redevelopment Project. (Supervisor Bierman)

    ACTION:

14. File 291–96–1. [Mid–Market Redevelopment Project Area Committee] Resolution approving and adopting procedures in the Articles of Formation for a Redevelopment Project Area Committee for the Mid–Market Redevelopment Project. (Supervisor Bierman)

    ACTION:

SPECIAL ORDER – 11:30 A.M.

15. File 109–96–2. [Rental Unit Occupancy by Landlord or Relative] Ordinance amending Administrative Code Section 37.9 governing when a landlord may recover possession of a rental unit for occupancy by the landlord or a relative; increasing to 36 months the period of time the landlord or family member must intend to reside in the unit and creates rebuttable presumption; increases from 25% to 50% ownership interest in the property and restricts move–in by relatives; establish tenant rights in evictions, relocation and reoccupancy; prohibits move–in where tenants age 62 or older who have been in the building ten years reside; reinstatement of previous rent after landlord or relative vacates; establishes penalty and civil action. (Supervisors Yaki, Bierman, Ammiano, Teng, Katz)

    ACTION:

Public Library, Documents Dept.
Attn: Kate Wingerson

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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November 12, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting [illegible]

SUBJECT: November 14, 1996 Housing and Land Use Committee Meeting

Items 8, 9, and 10 - Files 164-96-1, 164-96-1.1, 164-96-1.2

Department: Real Estate Department

Items: **Item 8, 164-96-1:** Resolution declaring intention of the Board of Supervisors to vacate portion of Alameda Street between Treat Avenue and Florida Street, and setting the hearing date for all persons interested in the proposed vacation.

Item 9, 164-96-1.1: Ordinance ordering the vacation of the public street easement over a portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1.

Item 10, 164-96-1.2: Ordinance authorizing the exchange of a portion of Alameda Street between Treat Avenue and Florida Street, and adopting findings pursuant to Planning Code Section 101.1.

Description: The Barulich Family Trust owns Assessor's Lot 2 and Lot 4, located between Treat Avenue and Florida Street (see Attached map). The City owns a portion of Alameda Street that bisects these two lots. The Barulich Family has requested that the City vacate this portion of Alameda

Street, and then sell it to the Barulich Family in exchange for portions of Assessor's Lot 2 and Lot 4. The Barulich Family owns and operates BIRITE Food Distributors, located in a building on Florida Street, adjacent to the subject portion of Alameda Street, and would like to purchase this portion of Alameda Street to use as a parking lot for employees of BIRITE Food Distributors.

The following provides further information pertaining to the proposed resolution (File 164-96-1), and the two proposed ordinances (Files 164-96-1.1 and 164-96-1.2).

File 164-96-1
The proposed resolution would declare the intention of the Board of Supervisors to vacate a portion of Alameda Street between Treat Avenue and Florida Street, containing 7,897 square feet, subject to the reservation of an easement, containing 2,043 square feet, for the operation and maintenance of a sewer line.

The Department of City Planning states that the proposed street vacation is in conformity with the City's Master Plan and is consistent with the Eight Priority Policies of Planning Code Section 101.1. The Department of Public Works (DPW) states that the subject portion of Alameda Street is not needed for present or prospective street purposes.

The proposed resolution would schedule a hearing regarding the proposed vacation of the subject portion of Alameda Street. Therefore, if the proposed resolution is approved, the legislation should be amended to set the date and hour of the hearing.

File 164-96-1.1
The proposed ordinance would order the City to vacate the easement located in the subject portion of Alameda Street, upon relocation of the sewer line contained within the easement to Florida Street. As noted above, the subject easement contains 2,043 square feet. Mr. Steve Hoppe of Real Estate advises that all costs associated with the relocation of the sewer line from the subject portion of Alameda Street to Florida Street would be paid for by the Barulich Family.

The Department of City Planning states that the proposed vacation of the easement is in conformity with the City's Master Plan, including the street vacation and easement criteria in the Urban Design Element, and with the Eight Priority Policies of Planning Code Section 101.1. As noted above, the Department of Public Works (DPW) states that the subject portion of Alameda Street is not needed for present or prospective street purposes.

If the finding is in favor of the proposed vacation of the easement by the City, the proposed ordinance would then be considered by the full Board of Supervisors.

164-96-1.2

The proposed ordinance would authorize the Barulich Family to acquire the subject portion of Alameda Street, owned by the City, and in exchange, convey portions of Lots 2 and 4, owned by the Barulich Family, to the City to facilitate the future widening of Treat Avenue by the City. Mr. Hoppe advises that the Barulich Family would pay the City for the difference between the value of the subject portion of Alameda Street and the value of the portions of Lots 2 and 4.

Mr. Hoppe advises that the Real Estate Department has determined that the value for the subject portion of Alameda Street (7,897 square feet) is $236,360, and the value for the portions of Lots 2 and 4 combined (4,766 square feet) is $152,512. Therefore, if the proposed ordinance is approved, the Barulich Family would pay the City an amount of $83,848 ($236,360 less $152,512) and convey portions of Lots 2 and 4 to the City. In addition, approval of the proposed ordinance would authorize the Real Estate Department to execute a quitclaim deed conveying the City's interest in the subject portion of Alameda Street to the Barulich Family, but reserving an easement for the operation and maintenance of a sewer line. Upon the relocation of the sewer line to a location on the adjacent Florida Street, the Director of Real Estate would then be authorized to execute a quitclaim deed relinquishing the City's interest in the easement, advises Mr. Hoppe.

The Department of City Planning states that the proposed acquisition of portions of Lots 2 and 4 is in conformity with the City's Master Plan and is consistent with the Eight Priority Policies of Planning Code Section 101.1.

Comments:

1. Mr. Hoppe advises that the cost to the DPW for the processing of the proposed exchange of property is $2,500, and the cost to the Real Estate Department is $13,824, or a total cost of $16,324. Approval of the proposed ordinance (File 164-96-1.2) would authorize the DPW to be paid $2,500, and the Real Estate Department to be paid $13,824 from the net amount of $83,848 to be paid to the City by the Barulich

Family. The balance of $67,524 ($83,848 less $16,324) would be deposited in the Department of Public Work's Trust Fund.

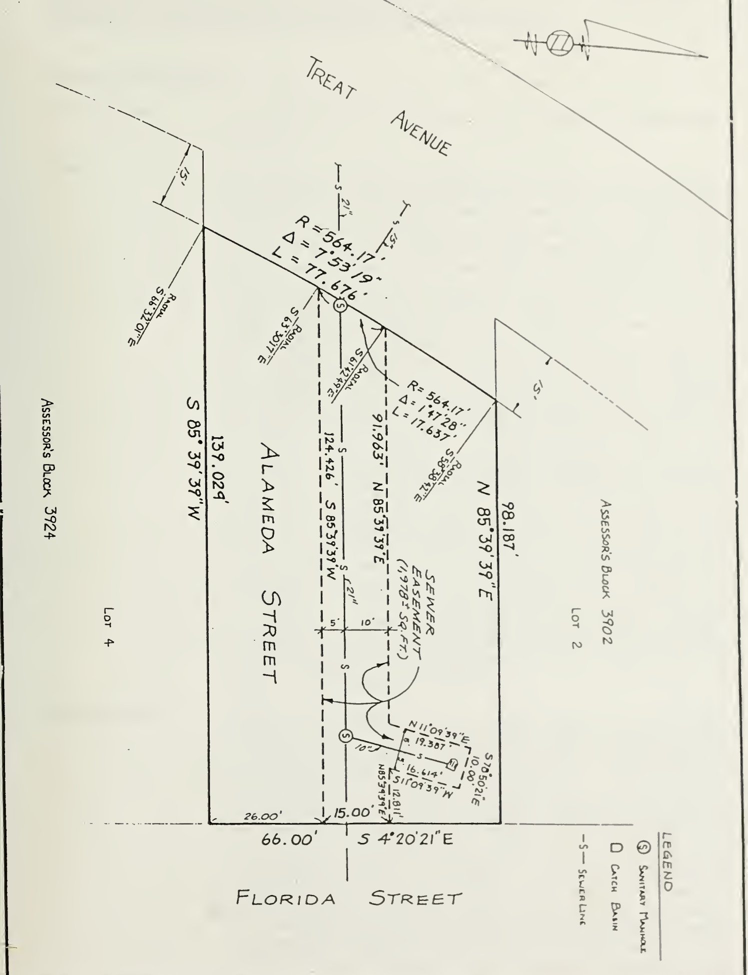
2. As noted above, approval of the proposed resolution (File 164-96-1) would schedule a hearing regarding the proposed vacation of the subject portion of Alameda Street. Therefore, the legislation should be amended to set the date and hour of the hearing.

Recommendations: 1. Amend the proposed resolution (File 164-96-1) to set the date and hour of the public hearing and approve as amended.

2. Refer the proposed ordinance (File 164-96-1.1) to order the vacation of the easement in the subject portion of Alameda Street to the Board of Supervisors without recommendation.

3. Refer the proposed ordinance (File 164-96-1.2) to authorize the exchange of a portion of Alameda Street for portions of Lots 1 and 2 to the Board of Supervisors without recommendation.

Attachment


TREAT AVENUE
R = 564.17'
Δ = 7°53'19"
L = 77.676'
21"
15"
15'
S 66°32'01" E RADIAL
S 63°30'17" E RADIAL
S 61°42'49" E RADIAL
S 58°38'42" E RADIAL
R = 564.17'
Δ = 1°47'28"
L = 17.637'
15'
ASSESSOR'S BLOCK 3924
LOT 4
S 85°39'39" W
139.029'
ALAMEDA STREET
124.426' S 85°39'39" W
91.963' N 85°39'39" E
21"
5'
10'
SEWER EASEMENT (1,978± SQ. FT.)
N 85°39'39" E
98.187'
ASSESSOR'S BLOCK 3902
LOT 2
N 11°09'39" E
19.387'
S 78°50'21" E
10.80'
16.614'
S 11°09'39" W
N 85°39'39" E
12.81'
10"
26.00'
15.00'
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S 4°20'21" E
FLORIDA STREET
LEGEND
Ⓢ SANITARY MANHOLE
▢ CATCH BASIN
—S— SEWER LINE

JOB NO. S-3496

SHEET 1 OF 1

DATE 9/12/9.

SCALE 1" = 1

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS
501 SECOND STREET SUITE
SAN FRANCISCO, CA 94107
(415) 543-4500

PROPOSED
VACATION OF A PORTION
OF ALAMEDA STREET
SAN FRANCISCO CALIFORNIA

APPROVED

SURV	
CKS	
DRW	DD
CHK	BR
REV NO.	

Item 15- File 109-96-2

Department: Residential Rent Stabilization and Arbitration Board (Rent Board)

Item: Ordinance amending Chapter 37 of the San Francisco Administrative Code (Administrative Code) by: (1) amending Section 37.9 to replace current Subsection 37.9(a)(8) with a new Subsection 37.9(a)(8) governing when a landlord may recover possession of a rental unit for occupancy by either the landlord or a relative of the landlord, to: (a) increase from 12 months to 36 months the period of time the landlord or relative must intend to reside in the unit; (b) create a rebuttable presumption that the landlord has not acted in good faith if the landlord or relative does not move into the vacated unit within three months, or occupy the unit for a minimum of 36 months; (c) increase from at least 25 percent to at least 50 percent the ownership interest in the property required for owner move-in; and (d) restricts move-in by relatives of the landlord: (2) adds Section 37.9B to: (a) establish tenant rights in evictions under Subsection 37.9(a)(8), including specified notice, payment of relocation costs, and rights of former tenant; (b) relet the unit after the landlord or landlord's relatives vacate; (c) prohibit owner move-in to units where tenants age 62 or older, and who have lived in the building for ten or more years; and (d) reinstate the previous rent after landlord or relative vacates: (3) amending Section 37.10A to establish that it shall be a misdemeanor to refuse to rent to a person because their age would result in their acquiring rights under this proposed legislation: and (4) amending Section 37.11A to create a civil action for attempting to prevent a tenant from acquiring rights under this proposed legislation.

Description: Chapter 37, Section 37.9 of the Administrative Code, which became effective as of August 24, 1980, stipulates the conditions under which a landlord can evict a tenant from a rental unit. The proposed amendments only affect the conditions that a landlord must meet in order to evict a tenant from a rental unit. All other conditions permitting a landlord to evict a tenant, including a tenant's: (a) failure to pay rent; (b) violation of a covenant; (c) committing or permitting to exist a nuisance, or causing substantial damage; (d) using or permitting a rental unit to be used for illegal purposes; (e) failure to execute a written agreement after the expiration of an oral agreement; (f) refusal to vacate or allow the landlord access to the unit after being duly notified; and (g) subletting a unit without the approval of the landlord are not affected by the proposed amendments to Chapter 37 of the Administrative Code.

The proposed amended Chapter 37 includes a new Section 37.9B which details a tenant's rights in evictions, brought under Section 37.9 (a)(8). This new section specifies that the evicted tenant must be offered the unit when the owner or relative vacates said unit, and that the rent cannot be greater than it would have been if the tenant had continuously occupied the unit. If the rent charged to a tenant upon reoccupying the unit is greater than the rent paid at the time the tenant vacated the unit, the landlord will be required to prove that the increase is justified and that the increases would have taken place had the tenant resided in the unit continuously.

37.9B also requires that any tenant who is living in a building containing two or more units and is evicted based on Section 37.9(a)(8) and has resided in the unit for more than 12 months shall be entitled to relocation costs. The payment is due at the time the notice to vacate is served and ranges from $2,000 to $5,000 per unit, depending upon the length of occupancy.

According to Mr. Joe Grubb, Director of the Rent Board, the proposed amendments to the Administrative Code should reduce the number of owner/relative move-ins. Mr. Grubb also indicates that the proposed amendments may result in a small increase in the number of hearings to adjudicate rent increase disputes. Mr. Grubb does not believe that the small increase in the number of hearings to adjudicate rent increase disputes will require any additional staff.

Comments:

1. The San Francisco Tenants Union literature states that 10,000 tenants have been evicted for owner move-ins and that 10,000 affordable rental units have been lost. This is in contrast to The Edson Study which is contained in the Board file. This study was conducted by David W. Edson, a second year law student at Golden Gate University. Mr. Edson estimates that over the course of a one-year period, there are approximately 325 owner move-ins resulting in tenant evictions (6.25 per week X 52 weeks = 325). The data cited in the Edson Study is based on a sample of owner move-in notices filed with the San Francisco Rent Board during four separate weeks in 1994 and 1995. The Edson Study also looked at the number of Unlawful Detainer actions filed by tenants with the Municipal Court to contest an owner move-in eviction.

Mr. Grubb stated that he could not offer any comment on the results of the Edson Study. Mr. Grubb did provide data detailing the summary of evictions from Fiscal Year 1987-88 through Fiscal Year 1995-96. Over this nine year period, there were 3,935 evictions as a result of owner move-ins, according to Mr. Grubb. This is an average of approximately 437 owner move-in evictions per year which is 112 more than the 325 number cited in the Edson Study. Owner move-in evictions during Fiscal Years 1993-94 and 1994-95 were 344 and 361, respectively, according to Mr. Grubb's data. Based on this data, the average number of owner move-in evictions for the same time period of the Edson Study is 352.5 as compared to Mr. Edson's number of 325. Mr. Grubb's data is included as an attachment to this report.

During the time period covered by the Edson Study, an estimated 78 unlawful detainers were filed by tenants (1.5 per week X 52 weeks = 78). The tenant prevailed in 26 of the 78 unlawful detainer actions. As such, the net result is approximately 299 owner move-in evictions annually in the City (325 eviction notices filed less 26 unlawful detainer actions upholding tenants position), according to the Edson Study.

2. Correspondence contained in the Board file reveals that renters, the Nation Lawyers Guild San Francisco Bay Area Chapter, West Bay Law and tenant advocacy groups support the proposed amendments. These groups believe that affordable rental housing in the City is in jeopardy. The San Francisco Tenants Unit also cites the low vacancy rate in the City (1 percent) and the housing industry standard of a 4 percent vacancy rate as a crisis.

Other correspondence contained in the Board file from the Greater San Francisco Association of Realtors, the San Francisco Apartment Association, the Coalition for Better Housing, and the Professional Property Management Association oppose the proposed amendment. These organizations cite problems expressed by property owners, possible discrimination against senior citizens seeking rental units, and the effect the proposed amendment's 50 percent ownership interest requirement may have on the tenancy in common form of home ownership. The proposed amendments prohibit the eviction of any tenant who is 62 years of age or older, and has lived in the building for ten or more years. Organizations opposing the proposed legislation believe that this restriction could create situations where landlords refuse to rent to older individuals to retain their future option of owner move-in.

3. According to Ms. Mariam Morley, of the City Attorney's Office, there is a typographical error in the title. At lines two and three, the reference to "subsection 37.9(A)(8)" should read "subsection 37.9(a)(8)." Also the title should be amended at line 9 after the word "from" to add the words "the current limits of 10% or" after the words "Increases from " and before the word "25%.".

Recommendations: 1. Amend the proposed ordinance in accordance with advice from the City Attorney's Office as shown in Comment No. 3 above.

2. Approval of this proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
President Shelley
Supervisor Yaki
Clerk of the Board
Controller
Steve Agostini
Paul Horcher
Ted Lakey

San Francisco Rent Board Eviction Notices

SUMMARY OF EVICTION TYPES BY YEAR

TYPE OF EVICTION	87/88 TOTALS	88/89 TOTALS	89/90 TOTALS	90/91 TOTALS	91/92 TOTALS	92/93 TOTALS	93/94 TOTALS	94/95 TOTAL	95/96 TOTAL	TOTAL EVICTIONS
NON-PAY	130	175	107	123	137	96	101	133	128	1130
LATE-PAY	80	53	98	88	60	72	50	41	49	591
BREACH	9	90	204	183	158	136	133	104	178	1195
NUISANCE	185	207	231	227	205	215	159	206	246	1881
ILLEGAL	0	6	16	9	11	11	15	9	54	131
AGREEMT	71	21	18	17	114	3	0	0	0	244
ACCESS	5	11	8	12	13	8	5	11	1	74
SUB	40	28	74	96	40	34	12	25	35	384
OWN-OCC	522	564	545	469	356	293	344	361	481	3935
CONDO				1	0	0	0	0	1	2
DEMOL	0	4	14	13	13	12	12	35	39	142
CI	76	149	47	30	30	10	33	6	18	399
REHAB	67	114	16	13	13	1	4	7	10	245
W-DRAW	26	18	3	4	4	0	0	0	0	55
RMATE	7	15	24	38	38	10	20	30	50	232
OTHER	80	82	67	57	57	73	77	116	105	714
TOTAL	1,298	1,537	1,472	1,380	1,249	974	965	1,084	1,395	11,354

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#1

11/28/96
Rescheduled
to
(11/26/96)

NOTICE OF RESCHEDULED MEETING

HOUSING AND LAND USE COMMITTEE

NOTICE IS HEREBY GIVEN that due to the Thanksgiving Day holiday, the regularly scheduled meeting of the Housing and Land Use Committee for Thursday, November 28, 1996, at 10:00 a.m., has been rescheduled to Tuesday, November 26, 1996, at 10:00 a.m., in Room 410, Veterans Building, 401 Van Ness Avenue, San Francisco, California.

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C A L E N D A R

HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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RESCHEDULED MEETING

TUESDAY, NOVEMBER 26, 1996, 10:00 A.M. VETERANS BUILDING
401 VAN NESS AVENUE, ROOM 410

MEMBERS: Supervisors Sue Bierman, Mabel Teng, Amos Brown

.46

CLERK: Gail Johnson

* * * * * * * * * * * * * * *

Disability Access

6/96

cheduled
from
11/25/96

Both the Committee Room (Room 410) and the Chamber (Room 404) are wheelchair accessible. The closest accessible BART Station is Civic Center, four blocks from the Veterans Building. Accessible MUNI lines serving this location are: #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness and #49 City College lines and the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of the Veterans Building adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 308 staff.

The following services are available on request 48 hours prior to the meeting or hearing:

For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.

For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

SF

1. File 223-96-44. [Liquor License, 1525 Mission Street] Hearing to consider that the issuance of a Type 48 on-sale general public premise license to Mark Dreier for Loading Dock located at 1525 Mission Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Mark Dreier.

   ACTION:

2. File 75-96-1. [Renaming Park Presidio] Resolution urging that Park Presidio Boulevard be renamed to Veterans Boulevard. (Supervisor Ammiano)

   ACTION:

3. File 15-90-1. [Taxicab Rates] Hearing to review taxicab rates as required by Police Code Section 1137 (hearing to occur between September 1 and December 1, 1996). (Clerk of the Board)

   ACTION:

4. File 24-96-6. [Appeal, Sidewalk Encroachment, 60 Lower Terrace] Communication received from Nicholas Rota, appealing decision of the Department of Public Works in its duly noticed hearing of October 30, 1996, and letter dated November 1, 1996, approving Minor Encroachment Permit No. 96MSE-152, to occupy, construct, and maintain the following encroachments: existing cobblestone retaining wall and landscaping; to construct new driveway ramp on compacted fill within unimproved portion of City right-of-way, for a proposed garage fronting the property at 60 Lower Terrace.

   ACTION:

Public Library, Documents Dept.
Attn: Kate Wingerson

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6/96

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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November 22, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: November 26, 1996 Rescheduled Housing and Land Use Committee Meeting

Item 3 - File 15-96-1

1. This item is a hearing to consider a review of taxi fare rates in the City. In accordance with Section 1137 of the Police Code, the Board of Supervisors is required to review rates for taxicabs between September 1 and December 1, annually. The last such hearing to review taxicab rates by the Board of Supervisors was September 28, 1995. At that time, the Controller's Office had not issued its annual report on taxicab fare rates, pending the outcome of Proposition I, a ballot measure in November of 1995 which related to the amount that a taxicab operator may charge a taxicab driver for the use of the taxicab, and the amount that a taxicab permit holder may charge an operator for the use of a permit. Mr. Matthew Hymel of the Controller's Office advises that a formal report on taxi fare rates was not submitted to the Board of Supervisors subsequent to the November 1995 election because Proposition I had not been approved by the electorate.

2. In June of 1991, the Board of Supervisors adopted the current taxicab rate schedule (File 15-91-6) as follows:

Flag Drop	$1.70
Rate Per 1/6 Mile	.30
Traffic Delay and Waiting Time Per Hour	18.00 ($0.30 per minute)

In addition, the rate for out-of-town taxi trips beyond 15 miles from the San Francisco border is 150 percent of the meter rate.

3. In accordance with Section 1137 of the Police Code, taxicab companies are required to provide financial reports to the Controller for purposes of the Controller (1) reviewing the industry's financial information, and taxicab fare rates charged in San Francisco, and (2) issuing a report on such taxicab fare rates, including recommendations to the Board of Supervisors for potential rate changes.

4. On November 21, 1996, the Controller issued the attached report to the Board of Supervisors on the current rate structure for San Francisco taxicabs. This report provides information on (1) recent taxicab rate history, (2) rate comparison with other major California cities, and (3) estimated costs of automobile operating costs.

5. Based on data provided by the Controller in his last two reports issued to the Board of Supervisors, the total number of taxicab permits issued increased by 43, from 808 to 851, an increase of 5.3 percent since January 11, 1994. A comparison of the total number of taxicab permits issued, as identified in the Controller's last two reports, is as follows:

Comparison of Total Taxicab Permits Issued
in San Francisco
As Reported by the Controller
on January 11, 1994 and November 21, 1996

Name of Cab Company	Number of Permits Issued As of 1/11/94	As of 11/21/96	Inc./(Dec.)
Yellow Cab	272	281	9
De Soto Cab	90	84	(6)
Luxor Cab	78	81	3
Veterans Cab	83	82	(1)
City Cab	75	0	(75)
All Others	210	323	113
Total Taxicab Permits Issued	808	851	43

6. In his November 21, 1996 report to the Board of Supervisors, the Controller compared the taxicab rates charged in San Francisco with the rates charged in the Cities of Los Angeles, San Diego, San Jose, Long Beach and Oakland.

7. Based on this comparison, the Controller has reported that generally speaking, San Francisco taxicab rates are in line with other major California Cities.

8. However, if San Francisco's taxicab rates are compared with just the two Bay Area cities surveyed by the Controller, Oakland and San Jose, San Francisco's taxicab rates are 5.6 percent to 11.8 percent lower than the average rates charged by Oakland and San Jose. A comparison of San Francisco's taxicab rates with (a) the average taxicab rates charged in the five California cities identified in the Controller's report, and (b) with just the two Bay Area Cities of Oakland and San Jose, is as follows:

Comparisons of San Francisco Taxicab Rates with the Average Rates Charged in Five Major California Cities and with the Average Rates Charged in Oakland and San Jose

Municipality	Initial	Mileage	Waiting Time Per Hour
San Francisco	$1.70	$1.80	$18.00
Average for five Other California Cities	1.84	1.72	17.20
Difference (per Controller)	($0.14)	$0.08	$0.80
Percentage Difference	(8.2)	4.7	4.7
San Francisco	$1.70	$1.80	$18.00
Average for two Other SF Bay Area Cities	1.90	1.90	19.00
Difference (per Bay Area Cities only)	($0.20)	($0.10)	($1.00)
Percentage Difference	(11.8)	(5.6)	(5.6)

9. If San Francisco's taxicab rates were equal to the average rates charged in Oakland and San Jose, the following increases in San Francisco taxicab rates would occur:

- the initial rate would increase by $0.20 from $1.70 to $1.90, an increase of 11.8 percent;
- the per mile cost would increase by $0.10 from $1.80 to $1.90, an increase of 5.6 percent; and
- the waiting time per hour would increase by $1.00 from $18.00 to $19.00, an increase of 5.6 percent.

10. The Controller also reported that data provided by the California State Automobile Association indicates that the average operating costs per mile for a vehicle driven 20,000 miles per year has increased by 14.4 percent from 1991 to 1996. Such operating costs include insurance, gasoline and automobile prices. As previously noted, the current taxicab rates in San Francisco were last increased in June of 1991.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Shelley
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Kaufman
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Controller
Steve Agostini
Paul Horcher
Ted Lakey

TAXICAB REPORT

City and County of San Francisco

Office of the Controller

November, 1996

This report was prepared by the Office of the Controller. The report is presented for informational purposes to coincide with the Board of Supervisor's annual review of taxicab rates. This report will provide the following information:

I. Historical review of San Francisco's taxicab industry
II. Rate comparison to major California cities
III. Review of the estimated cost of automobile inflation

I. BACKGROUND

The rate structure for the taxicab industry in San Francisco is set by the Board of Supervisors. The last rate increase was in June, 1991. San Francisco has 856 taxicab permits or medallions. Recently, the Police Commission has approved an additional 100 new taxicab permits. The Police department is in the processing of allocating the additional permits. Regulation of the Taxicab industry is prescribed by Appendix F of the City Charter, adopted in 1978. Taxicab regulations are enforced by the San Francisco Police Department.

Four Major Cab Companies Operate 62 percent of all San Francisco Taxicabs

The taxicab industry has four major independent companies that comprise about 62 percent of the total permits. These companies generally provide vehicles, maintenance and central dispatch services in return for a "gate" or daily rent for the cab. The gate fee is not regulated by the City. Thus, while the gate fee collected by companies may increase with inflation, total industry revenue is constrained by the rate structure adopted by the Board of Supervisors.

The four major independent cab companies currently operating in San Francisco are:

- Yellow Cab Company - 281 permits
- De Soto Cab Company - 84 permits
- Luxor Cab Company - 81 permits
- Veterans Cab Company - 82 permits

Fare Rates Have Not Changed Since June, 1991

Taxicab rates are made up of a "flag" or initial rate, a mileage rate, and a waiting time charge. As a result, the charge for each trip varies due to distance and the amount of traffic encountered. Chart A summarizes the most recent taxicab rate history for San Francisco.

Chart A: Recent Taxicab Rate History

Effective Date	Flag	Mileage	Waiting Time
June 26, 1991 (Current Rates)	$1.70 first 1/6 mile	$0.30 per 1/6 mile	$0.30 per minute
Dec. 21, 1990 (Temp. surcharge)	$1.90 first 1/6 mile	$0.25 per 1/6 mile	$0.25 per minute
July 1, 1986	$1.40 first 1/6 mile	$0.25 per 1/6 mile	$0.25 per minute
July 1, 1981	$1.30 first 1/6 mile	$0.20 per 1/6 mile	$0.20 per minute

II. RATE COMPARISON TO MAJOR CALIFORNIA CITIES

Generally speaking, San Francisco taxicab fares are in line with other major California cities. Chart B below summarizes how San Francisco rates compare to five California cities.

Chart B: Rate Comparison to California Cities

City	Flag	Mileage (per mile)	Waiting Time (per hour)
Los Angeles	$1.90	$1.60	$18.00
San Diego	$1.60	$1.60	$12.00
San Jose	$1.80	$1.80	$18.00
Long Beach	$1.90	$1.60	$18.00
Oakland	$2.00	$2.00	$20.00
Average of these five California cities	$1.84	$1.72	$17.20
San Francisco	**$1.70**	**$1.80**	**$18.00**
Difference from average	($0.14)	$0.08	$0.80

III. ESTIMATED COST OF AUTOMOBILE INFLATION

The Cost of Operating an Automobile Has Increased Since 1991

Data from the California State Automobile Association indicate that the average cost per mile for a vehicle driven 20,000 miles per year has increased by 14.4 percent from 1991 to 1996 (from $0.333 to $0.381). This increase is largely attributable to increases in ownership costs, such as insurance premiums, gasoline and automobile prices, over this period.

While high mileage vehicles such as taxicabs will obviously have different costs per mile and experience much more wear and tear than passenger automobiles, the increase in costs should be proportional for both types of vehicles.

Public Library, Documents Dept.
Attn: Kate Wingerson

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

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FAX (415) 252-0461

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December 10, 1996

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: December 12, 1996 Housing and Land Use Committee Meeting

Item 2 - File 9-96-3

Department:	Department of Public Works (DPW)
Item:	Ordinance whereby the City would accept for maintenance a previously unmaintained portion of roadway, including the curbs, located on Tunnel Avenue in San Francisco between the San Francisco-San Mateo County Line and 651 feet Northerly into San Francisco.
Description:	Ms. Denise Brady of the DPW advises that if a City-owned or privately owned roadway located in San Francisco does not meet City standards, as determined by the City Engineer, then the roadway cannot become part of the City's Street System, and therefore is not maintained by the City. However, Section 1806 of the State Street and Highways Code enables the City to maintain a roadway once the roadway is built or improved to City standards. City-maintained roadways are cleaned, repaired and repaved by the DPW, advises Ms. Brady.

Ms. Brady advises that the subject portion of roadway, located on Tunnel Avenue in San Francisco between the San Francisco/San Mateo County Line and 651 feet Northerly into San Francisco is a City owned right-of-way, but up to the present, has not been maintained by the City because it has not met City standards. Ms. Brady advises that up until approximately five years ago, the subject portion of roadway was a dirt road. At that time, the property owners fronting the subject portion of Tunnel Avenue paid a private contractor to improve the roadway to meet City Standards. Therefore, because the subject portion of roadway has been improved to meet City standards, the proposed ordinance would authorize the DPW to maintain the roadway.

Comments: 1. Ms. Brady advises that with the approval of the proposed ordinance, the primary cost to the City of maintaining the subject roadway would be the cost of repaving. However, Ms. Brady advises that the subject portion of roadway on Tunnel Avenue was built approximately five years ago, and is not expected to require repaving for an additional 25 years. Ms. Brady advises that the other ongoing maintenance costs of the roadway, that consist of street cleaning, and repair costs, would be minimal, and would be absorbed within DPW's FY 1996-97 budget.

2. Ms. Tina Olson of the DPW advises that the benefit of the DPW accepting new roadways for maintenance is that these roadways will be well maintained and will meet City standards regarding roadway quality.

Recommendation: Approve the proposed ordinance.

Public Library, Documents Dept.
Attn: Kate Wingerson

Memo to Housing and Land Use Committee
December 12, 1996 Housing and Land Use Committee Meeting

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Item 4 - File 10-96-10

Department: Department of Public Works (DPW)

Item: Resolution approving a Major Encroachment Permit[1] Agreement between the City and County of San Francisco and Metricom, Inc., (Metricom) permitting Metricom to mount 500 wireless radio repeater devices (radio devices) on City-owned light poles for a term of 24 months and adopting findings pursuant to Section 101.1 of the Planning Code.

Description: The proposed resolution would approve a Major Encroachment Permit Agreement (the "Agreement") between the City and County of San Francisco and Metricom permitting Metricom to mount, construct, install, maintain, operate, repair, replace and remove, at Metricom's sole expense, 500 wireless radio repeater devices (radio devices) on City-owned light poles for a period of 24 months. The purpose of the radio repeater devices is to enable high speed access to on-line services, local-area-networks, and telephone modems. If approved by the Board of Supervisors, the Major Encroachment Permit would become effective upon (1) Metricom delivering an executed and acknowledged copy of the Permit to the Director of Public Works and to the Director or Purchasing, and (2) Metricom delivering to the Director of Public Works an insurance policy and such other documentation as is required by the Permit.

The City Planning Commission, by Motion Number 14156, dated July 11, 1996, declared that the proposed encroachment by Metricom conforms to the City's General Plan, provided that four specific conditions of approval are met. Those conditions of approval are contained in Attachment I to this report. By approving the proposed resolution, the Board of Supervisors would find that the proposed encroachment by Metricom is consistent with the eight priority policies of the San Francisco Planning Code Section 101.1.

The Public Utilities Commission (PUC), by Resolution Number 96-0218, dated October 8, 1996, approved and recommended to the Board of Supervisors the proposed Major Encroachment Permit.

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[1] According to Mr. Michael Olsen of the City Attorney's Office, a Major Encroachment Permit is a revocable right to occupy or place facilities in a public right-of-way, granted by the Board of Supervisors. A Minor Encroachment Permit is a similar right of occupancy that is incidental and adjacent to the use and ownership of fronting property. A Minor Encroachment is permitted by the Director of Public Works.

The proposed resolution also contains the following provisions:

1. Metricom shall obtain the necessary permits and pay the necessary permit fees, inspection fees, and all other fees prior to and in connection with any work in the public right-of-way or upon City-owned light poles;

2. No structure or facilities may be constructed, installed, or maintained upon any City-owned light pole except as specifically provided in the Permit, the Planning Conditions, and the proposed resolution;

3. The City and County reserves the right to exact any fee, charge, assessment or other cost for the purpose of relocating any facilities installed pursuant to the Permit when such costs may be incurred by the City in connection with the performance of governmental or proprietary activities by the City and County in the public right-of-way.

Comments:

1. The DPW held a public hearing on the proposed Permit on August 28, 1996, and there were no objections to the subject encroachments, according to DPW.

2. The Agreement contains the following provisions concerning fees and other payments payable by Metricom to the City:

a. On or before the effective date of the Agreement, Metricom shall pay to the City a one-time non-refundable permit fee in the amount of $20,037.67 to cover the City's processing, inspection, and other administrative costs.

b. On or before the effective date of the Agreement and on each annual anniversary of the effective date throughout the term of the Agreement, Metricom shall pay to the City a fee of $30,000.00 for the use of the 500 City light poles. If the City in its sole and absolute discretion authorizes the use of additional City light poles for the installation of wireless radio repeater devices, Metricom shall pay the City an additional annual fee, prorated for any partial year, in the amount equal to $600 for every ten additional light poles, or fraction thereof, authorized by the City.

Item 4 - File 10-96-10

Department: Department of Public Works (DPW)

Item: Resolution approving a Major Encroachment Permit[1] Agreement between the City and County of San Francisco and Metricom, Inc., (Metricom) permitting Metricom to mount 500 wireless radio repeater devices (radio devices) on City-owned light poles for a term of 24 months and adopting findings pursuant to Section 101.1 of the Planning Code.

Description: The proposed resolution would approve a Major Encroachment Permit Agreement (the "Agreement") between the City and County of San Francisco and Metricom permitting Metricom to mount, construct, install, maintain, operate, repair, replace and remove, at Metricom's sole expense, 500 wireless radio repeater devices (radio devices) on City-owned light poles for a period of 24 months. The purpose of the radio repeater devices is to enable high speed access to voice communications, on-line services, local-area-networks, and telephone modems. If approved by the Board of Supervisors, the Major Encroachment Permit would become effective upon (1) Metricom delivering an executed and acknowledged copy of the Permit to the Director of Public Works and to the Director or Purchasing, and (2) Metricom delivering to the Director of Public Works an insurance policy and such other documentation as is required by the Permit.

The City Planning Commission, by Motion Number 14156, dated July 11, 1996, declared that the proposed encroachment by Metricom conforms to the City's General Plan, provided that four specific conditions of approval are met. Those conditions of approval are contained in Attachment I to this report. By approving the proposed resolution, the Board of Supervisors would find that the proposed encroachment by Metricom is consistent with the eight priority policies of the San Francisco Planning Code Section 101.1.

The Public Utilities Commission (PUC), by Resolution Number 96-0218, dated October 8, 1996, approved and recommended to the Board of Supervisors the proposed Major Encroachment Permit.

---

[1] According to Mr. Michael Olsen of the City Attorney's Office, a Major Encroachment Permit is a revocable right to occupy or place facilities in a public right-of-way, granted by the Board of Supervisors. A Minor Encroachment Permit is a similar right of occupancy that is incidental and adjacent to the use and ownership of fronting property. A Minor Encroachment is permitted by the Director of Public Works.

The proposed resolution also contains the following provisions:

1. Metricom shall obtain the necessary permits and pay the necessary permit fees, inspection fees, and all other fees prior to and in connection with any work in the public right-of-way or upon City-owned light poles;

2. No structure or facilities may be constructed, installed, or maintained upon any City-owned light pole except as specifically provided in the Permit, the Planning Conditions, and the proposed resolution;

3. The City and County reserves the right to exact any fee, charge, assessment or other cost for the purpose of relocating any facilities installed pursuant to the Permit when such costs may be incurred by the City in connection with the performance of governmental or proprietary activities by the City and County in the public right-of-way.

Comments:

1. The DPW held a public hearing on the proposed Permit on August 28, 1996, and there were no objections to the subject encroachments, according to DPW.

2. The Agreement contains the following provisions concerning fees and other payments payable by Metricom to the City:

   a. On or before the effective date of the Agreement, Metricom shall pay to the City a one-time non-refundable permit fee in the amount of $20,037.67 to cover the City's processing, inspection, and other administrative costs.

   b. On or before the effective date of the Agreement and on each annual anniversary of the effective date throughout the term of the Agreement, Metricom shall pay to the City a fee of $30,000.00 for the use of the 500 City light poles. If the City in its sole and absolute discretion authorizes the use of additional City light poles for the installation of wireless radio repeater devices, Metricom shall pay the City an additional annual fee, prorated for any partial year, in the amount equal to $600 for every ten additional light poles, or fraction thereof, authorized by the City.

c. The City would have right, at its option, on its own behalf or on behalf of the San Francisco Unified School District or any other City entity, to purchase any number of Basic Subscriptions for Metricom's Services, which consists of enabling high speed wireless access to communications services, such as to the internet or to on-line services, at a rate equal to the lesser of (1) Metricom's lowest rate then available to any government entity, or (2) $19.95 per month. In addition, the City would be entitled to Metricom's lowest available rate for purchase and/or lease of modems for purposes of accessing Metricom's services and any additional services that Metricom may offer or be authorized to offer.

d. Metricom would pay to the City, as an encumbrance fee, an amount equal to five percent of the gross receipts, payable in arrears on a quarterly basis. The Agreement contains provisions for administering these payments, such as monitoring the stated gross receipt amounts and provisions for late payments.

e. In addition to the fees enumerated herein, Metricom would pay to the City all applicable deposit fees, permit fees, and other fees as required to be paid in connection with obtaining permits or performing work under the proposed Agreement.

f. Upon execution of the proposed Agreement, Metricom would make a security deposit in the sum of $22,500 in order to secure Metricom's faithful performance of all terms, covenants, and conditions of the proposed Agreement, including the removal of the installed radio devices. In lieu of the security deposit, Metricom may deliver to the City a valid surety bond in the sum of $22,500.

g. Upon execution of the proposed Agreement and prior to the installation of any radio devices, and on each annual anniversary of the effective date of the Agreement, Metricom would pay to the City a non-refundable annual fee for the cost of electricity supplied to each radio device, which fee would be calculated in the amount of $7.35 per radio device per year, or the sum of $3,675 per year based on 500 radio devices. Should the number of radio devices be increased, the fee would be increased by an amount equal to the then current cost of electricity supplied to each radio device. Further, if during the term of the proposed Agreement the cost of the electricity supplied to each radio device increases, Metricom would pay the amount of such increase to the City.

3. Attachment II to this report, prepared by the Department, is a summary of the fees cited above including the estimated amounts that would be payable by Metricom to the City.

4. The proposed Agreement contains other provisions including those concerning limitation and restrictions, waivers and indemnification, insurance, work standards, utility users' tax/other fees, and termination. The "Termination" section of the Agreement includes a provision whereby after notice and public hearing, if the Board of Supervisors determines that Metricom's continued use of City property would adversely affect public health, safety, or welfare, the City could terminate the Agreement immediately upon written notice to Metricom.

5. Attachment III to this report are photographs showing (1) a close-up view of a wireless radio repeater device attached to a light pole, and (2) a landscape view showing a wireless radio repeater device attached to a light pole in the light pole's environment.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Kaufman
Supervisor Alioto
Supervisor Ammiano
Supervisor Hsieh
Supervisor Katz
Supervisor Leal
Supervisor Yaki
Clerk of the Board
Controller
Steve Agostini
Stephen Kawa
Ted Lakey

Attachment I

EXHIBIT A

CONDITIONS OF APPROVAL

Conditions of Approval.

1. This authorization is granted to install up to 500 wireless telecommunications antennae and transceiver units on City-owned street light poles throughout the City with the following exception: The units shall not be installed on any of the following features:
    1. Within Historic Districts;
    2. Within proposed Historic Districts;
    3. Within Conservation Districts;
    4. Along identified scenic routes; and
    5. Along streets where there are, or are proposed to be installed, historic-style street light poles such as along Market Street, Van Ness Avenue, and Dolores Heights.

2. The facility shall not be operated, nor caused to transmit on or adjacent to any radio frequencies licensed to the City for emergency telecommunication services such that the City's emergency telecommunications system experiences interference, unless prior approval for such has been granted in writing by the City.

3. The Project Sponsor shall, at the request of the City, remove any installation from any street light pole, at the Project Sponsor's own cost and expense, in response to any protest or complaint by any member of the public.

4. The approval and finding of consistency with the General Plan subject to this Motion is for a two year period only, coinciding with the proposed two year lease period of this Application. Should the City and Project Sponsor wish to re-new a lease and encroachment permit, the Project Sponsor shall seek a new finding of consistency with the General Plan from the Planning Commission.

Attachment II

SUMMARY OF METRICOM FEES

	Year One	Year Two	Projected Total Revenue
Section 7.1			
FEE:	$20,037.67	0	$20,037.67

One time fee to cover City's costs to process this agreement and inspect the installation of the units.

FEE:	$30,000	$30,000	$60,000

Annual fee for use of up to 500 poles

POTENTIAL FEE: $600

Potential fee per ten additional poles if approved by City. This is not likely to occur in 2 year term of agreement.

Section 7.4			
FEE:	5%	5%	5%

This is an Encumbrance Fee of 5% of the Gross Receipts payable in arrears. Since this is a fairly new company and a fairly new technology I am unable to project potential City revenue over the relatively short term of this agreement. Deputy City Attorney Mike Olsen should provide the definition of this fee. My stab at it is that it is a "street use fee" for the privilege of using the right-of-way. This is potential general fund revenue with no direct cost to the City.

Section 7.7
The fees required as stated in this agreement, do not relieve Metricom from paying all other applicable City fees.

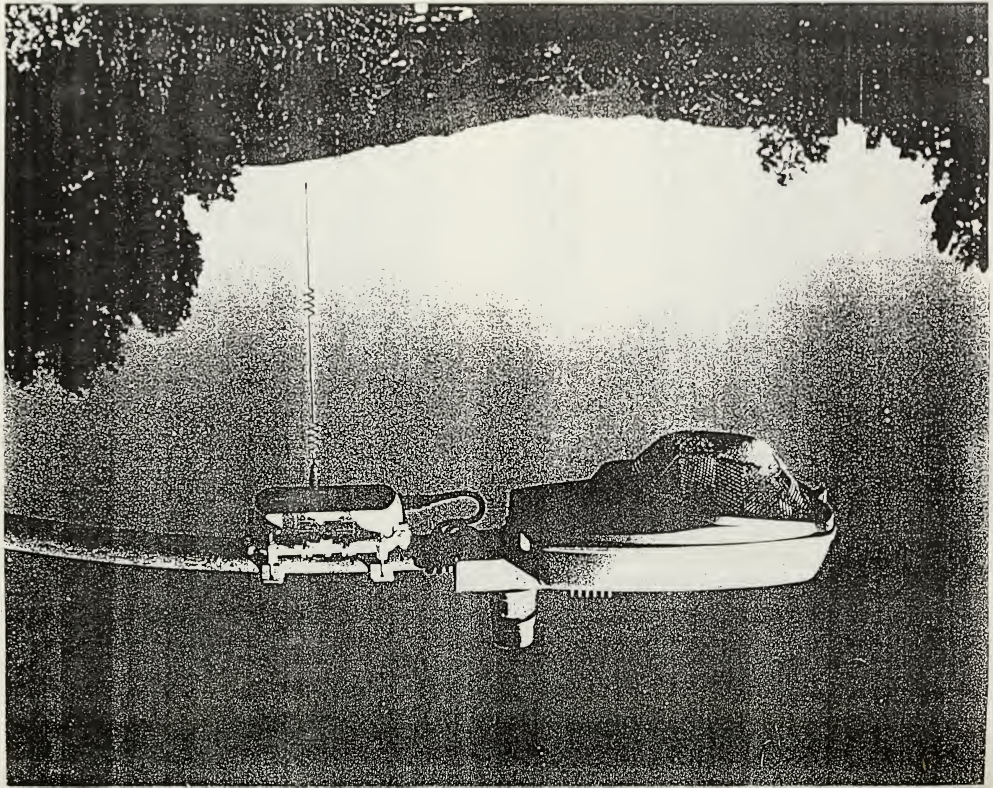
Section 7.8
DEPOSIT: $22,500

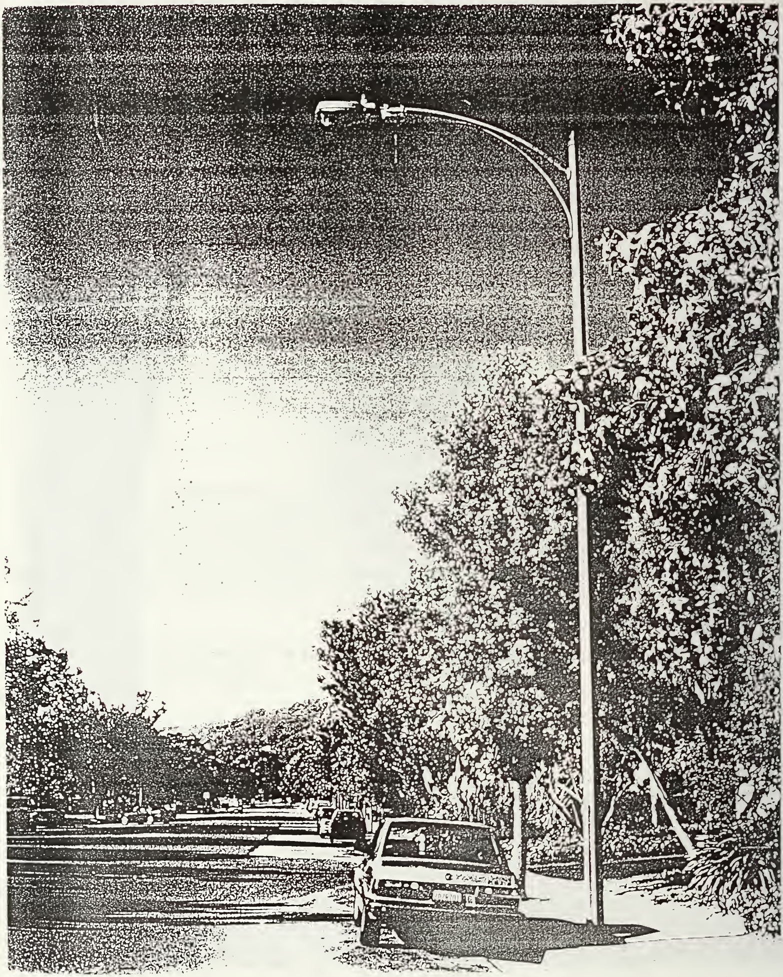
This deposit is in a sum equal to 150% of the estimated cost for the City to remove the units should Metricom fail to. Unused portion of this deposit would be returned to Metricom when this agreement expires or is terminated.

Section 7.9			
FEE:	$3,675	$3,675	$7,350

Nonrefundable anual fee for the cost of electricity necessary for the operation of up to 500 radio repeater units attached to City light poles. This is a cost for service fee.

Attachment III
Page 1 of 2





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CALENDAR Action Taken

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, DECEMBER 12, 1996 – 10:00 A.M. Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng

ABSENT: Supervisor Amos Brown

CLERK: Gail Johnson

1. File 34-96-13. [Changing Width of Sidewalk, Beale Street] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1533 changing the official sidewalk width on the north side of Beale Street westerly of Harrison Street, as shown on the Department of Public Works drawing labeled Q-20-466 and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

   ACTION: Hearing held. Recommended.

2. File 9-96-3. [Roadway Acceptance, Tunnel Avenue] Ordinance accepting for maintenance the roadway, including the curbs, of Tunnel Avenue from the San Francisco–San Mateo County line to 651 feet northerly. (Department of Public Works)

   ACTION: Hearing held. Recommended.

3. File 24-96-5. [Appeal, Sidewalk Encroachment, 2430 Pacific Avenue] Communication received from Jennifer R. Maniar, appealing the decision of the Department of Public Works by its letter dated August 13, 1996, approving the issuance of a Minor Encroachment Permit for the construction of two (2) planter boxes and a warped driveway ramp, which would encroach into the public right-of-way fronting the property at 2430 Pacific Avenue. The approval of the Encroachment Permit shall be conditioned upon a valid building permit being obtained from the Department of Building Inspection for the construction of the new garage within the basement area of the subject property.

   (Consideration continued from 10/24/96)

ACTION: Hearing held. Motion prepared in and reported out of Committee entitled: "[Encroachment Permit – 2430 Pacific] Denying the appeal of a decision by the Director of Public Works, which granted the issuance of a Minor Sidewalk Encroachment Permit to construct two planter boxes and a warped driveway ramp, which would encroach into the public right–of–way fronting the property at 2430 Pacific Avenue, conditioned upon a valid building permit being obtained from the Department of Building Inspection for the construction of the new garage within the basement area of the subject property, and granting the issuance of the requested Minor Encroachment Permit, as conditioned by the Department of Public Works, for the property at 2430 Pacific Avenue." Recommended.

4. File 10–96–10. [Major Encroachment Permit, Metricom, Inc.] Resolution granting major encroachment permit to Metricom, Inc., to mount 500 wireless radio repeater devices on City–owned light poles for a term of 24 months and adopting findings pursuant to Section 101.1 of the Planning Code. (Planning Department)

(Planning Commission Motion No. 14156, adopted 7/11/96.)

(Public Utilities Commission Resolution, dated 10/8/96, recommending approval of the proposed encroachment.)

(FISCAL IMPACT)

ACTION: Hearing held. Recommended. Transferred to Budget Committee for review and consideration.

5. File 111–96–4. [Interim Controls, Inner Sunset Alcohol Beverage] Resolution imposing Interim Zoning Controls to establish the Inner Sunset Alcoholic Beverage Special Use District and prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in this special use district generally bounded by Lincoln Way, Seventh Avenue, Kirkham Street and Eleventh Avenue, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Teng, Alioto)

(General Rule Exclusion from Environmental Review)

ACTION: Hearing held. Consideration continued to January 9, 1997, meeting.

6. File 189–96–4. [Burger King, 1325 9th Avenue] Hearing to consider Planning Department's issuance of a permit to build a Burger King at 1325 9th Avenue. (Supervisors Ammiano, Leal, Alioto, Bierman, Shelley)

ACTION: Hearing held. Filed.

BOARD of SUPERVISORS

SEAL OF THE CITY AND COUNTY OF SAN FRANCISCO

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San Francisco 94102-4532
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NOTICE OF CANCELED MEETING

HOUSING AND LAND USE COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Housing and Land Use Committee for Thursday, December 26, 1996 at 10:00 a.m., has been canceled.

John L Taylor
JOHN L. TAYLOR
Clerk of the Board

POSTED: DECEMBER 18, 1996

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642
FAX (415) 252-0461

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January 7, 1997

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations for meeting of

SUBJECT: January 9, 1997 Housing and Land Use Committee Meeting

Items 7, 8 and 9 - Files 115-96-8.2, 115-96-8 and 271-96-4

Department: Planning Department
Public Transportation Department

Items: Resolution adopting final negative declaration, finding and determining that the transit general advertising signs along the Embarcadero, on Jefferson, Jones and Beach Streets and on King Street between the Embarcadero and Sixth Street will have no significant impact on the environment and adopting and incorporating findings of final negative declaration (File 115-96-8.2).

Ordinance amending Article 6, Section 603 of the San Francisco Planning Code to permit transit shelter advertising on median public transit boarding platforms on the Embarcadero and adopting findings pursuant to City Planning Code Section 101.1 (File 115-96-8).

Resolution approving amendments to the San Francisco General Plan to allow general advertising signs on transit boarding platforms and transit shelters in the areas subject to the Northeastern Waterfront Plan and Mission Bay Plan and on public service kiosks in the area subject to the Northeastern Waterfront Plan (File 271-96-4).

Description:

The proposed legislation would permit advertising signs on Muni transit boarding platforms and transit shelters in the Northeastern Waterfront Plan and the Mission Bay Plan areas, and permit advertising on public service kiosks in conjunction with the public toilet program in the Northeastern Waterfront Plan area.

The Muni F-line Extension Project, which will extend Muni service along the Embarcadero to Fisherman's Wharf, is located within the Northeastern Waterfront Plan and the Mission Bay Plan areas. The Muni Metro Extension Project which will extend Muni Metro service from Market Street down the Embarcadero to the CalTrain Depot is located within the Mission Bay Plan area. The Northeastern Waterfront Plan currently contains three policies prohibiting new general advertising signs. The Mission Bay Plan currently contains a Commerce and Industry Design Guidelines section which does not permit any billboards. Under the proposed resolution (File 271-96-4), the policies and guidelines in the Northeastern Waterfront Plan and the Mission Bay Plan would be amended to exempt a limited number of double-sided general advertising signs on public transit boarding platforms and transit shelters from the current prohibition of advertising signs. The Northeastern Waterfront Plan would also be amended (File 271-96-4) to permit general advertising signs on public service kiosks that have been constructed in conjunction with the City's public toilet program.

Section 603 of San Francisco's Planning Code addresses signs which are exempted from the provisions of Article 6 of the Planning Code, which regulates most signs on private and public development in the City. Under the proposed ordinance (File 115-96-8), Section 603(j) of the City's Planning Code would be amended to exempt from the City's sign regulations (1) up to three double-sided general advertising signs, each not exceeding 24 square feet in area on or adjacent to transit shelters on publicly-owned and high-level Municipal Railway boarding platforms along the Embarcadero south of the Ferry Building, (2) up to six double-sided panels at 2nd and King Street and (3) up to four double-sided panels at Fourth and King Streets and Sixth and King Streets. The proposed ordinance also states that each of these advertising signs on a high level boarding platform will be designed and sited in such a manner as to minimize obstruction of public views from pedestrian walkways and/or public open space.

The proposed resolution (File 115-96-8.2) would adopt a final negative declaration that these transit advertising signs will have no significant impact on the environment.

Comments:

1. On September 13, 1996, the Planing Department issued a Preliminary Negative Declaration for public review for transit general advertising signs along the Embarcadero, on Jefferson, Jones and Beach Streets and on King Street between the Embarcadero and Sixth Streets. On October 9, 1996, this Negative Declaration was finalized. On November 5, 1996, an amendment to the original plan was issued to include the Muni Metro Station at King and Sixth Street and other minor changes in the description of the project. According to Ms. Inge Horton of the Department of City Planning, these changes were reported in a memorandum from the Planning Department to the file, in which it was noted that the final Negative Declaration was sufficient.

2. According to Mr. Jim Lowe of the Public Transportation Department, the proposed legislation would enable advertising to be included on the Muni transit boarding platforms and transit shelters for the Muni Metro extension and the F-line extension projects. Both of these projects are currently under construction and Mr. Lowe reports that the Muni Metro extension transit boarding platforms are anticipated to be completed in 1997. The F-line extension transit platforms are anticipated to be completed by 1999.

3. The proposed legislation (File 271-96-4) also permits general advertising signs on the public service kiosks that have already been constructed by the J. C. Decaux United Street Furniture, Inc. (Decaux) in conjunction with the City's public toilet program. As discussed above, the Northeastern Waterfront Plan currently contains three policies which prohibit general advertising signs. However, the Decaux company previously constructed approximately eight to ten public service kiosks in the Northeastern Waterfront Plan area. Therefore, the proposed resolution would authorize Decaux to continue to have their public service kiosks contain advertising in the Northeastern Waterfront Plan area.

4. In June of 1987 the Board of Supervisors approved an agreement (Ordinance No. 208-87) between Gannett Outdoor Company, Inc. of Northern California and the City of San Francisco for the placement and maintenance of transit bus shelters which permits advertising throughout San Francisco. In December, 1996, the Board of Supervisors approved a resolution (File 172-96-40) to transfer the transit shelter agreement from Gannett Outdoor Company to Outdoor Systems, Inc., which recently acquired the parent company of Gannett Outdoor Company, Inc. The existing agreement has a remaining seven and a half years left and expires on June 10, 2002.

5. In October, 1994, the Board of Supervisors approved an amendment to the Transit Shelter Agreement with Gannett to maintain the Stonestown transit boarding platform, located at 19th Avenue adjacent to the Stonestown Shopping Mall, in exchange for permitting advertising on that transit boarding platform. The City does not receive any additional revenue from that agreement, but nor does the City incur any additional maintenance expenses for that facility. Mr. Lowe estimates that, if the City were responsible for maintaining that transit boarding platform it would have cost the Municipal Railway approximately $25,000 annually.

6. According to Mr. Lowe, the proposed legislation that is the subject of this report, would enable a similar arrangement to be entered into with Outdoor Systems, Inc. in which Outdoor Systems, Inc. would maintain the transit boarding platforms along the Muni Metro and F-line extensions in exchange for advertising on the various transit boarding platforms and transit shelters. Mr. Lowe anticipates a total of four transit boarding platforms on the Muni Metro extension and approximately 20 much smaller transit boarding platforms on the F-line extension. Mr. Lowe reports that the specific details of the maintenance agreement in exchange for the advertising rights would be part of an overall amendment to the Transit Shelter Agreement with Outdoor Systems, Inc. that would be subject to separate Board of Supervisors approval. According to Mr. Lowe, the overall amendment to the Transit Shelter Agreement may also include an increased number of transit bus shelters in the City and additional revenues to the City. Mr. Lowe anticipates that, if the proposed legislation is approved, an overall amendment to the Outdoor Systems, Inc. agreement

would be submitted to the Board of Supervisors for approval in approximately three to six months.

Recommendation: Approval of the proposed legislation is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Teng
Supervisor Brown
President Kaufman
Supervisor Ammiano
Supervisor Katz
Supervisor Leal
Supervisor Medina
Supervisor Yaki
Supervisor Yee
Clerk of the Board
Controller
Steve Agostini
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CALENDAR

Action Taken

REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JANUARY 9, 1997 - 10:00 A.M.

Veterans Building
401 Van Ness Ave., Room 410

PRESENT: Supervisors Sue Bierman, Mabel Teng, Amos Brown

CLERK: Gail Johnson

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   (a) File 18-96-18. [Stop Signs, Various Locations] Hearing to consider establishing Stop Signs at various locations. (Department of Parking and Traffic) (DPT Order No. 1207)

   Stop Signs - Establish
   Eighteenth and Hartford Streets, northeast and southwest corners, stopping Eighteenth Street traffic (makes this an all-way stop).

   Pacific Avenue and Baker Street, northeast and southwest corners, stopping Pacific Avenue traffic (makes this an all way stop).

   Baker and Washington Streets, northwest and southeast corners, stopping Baker Street traffic (makes this an all-way stop).

   Pacific Avenue and Broderick Street, northwest and southeast corners, stopping Broderick Street traffic (makes this an all-way stop).

   Plymouth Avenue and Wildwood Way, all corners, stopping all approaches (makes this an all-way stop).

   Plymouth and Montecito Avenues, northwest and southeast corners, stopping Plymouth Avenue traffic (makes this an all-way stop).

   Polk and Hemlock Streets, southwest corner, stopping eastbound Hemlock Street traffic (presently uncontrolled).

(b) File 19-96-15. [Parking Regulations, Various Locations] Hearing to consider rescinding and establishing parking regulations at various locations. (Department of Parking and Traffic) (DPT Order No. 1207)

No Parking, 6 a.m. – 9 a.m., Monday through Friday, Except Vans With San Francisco Vanpool Permits – Rescind

Folsom Street, south side, between Main and Spear Streets.

One-Hour Parking Time Limit, 7 a.m. – 6 p.m., Except Sunday – Rescind

Division Street, both sides, between Vermont and Henry Adams Streets.

Vermont Street, both sides, between Division and Alameda Streets.

Two-Hour Parking Time Limit, 7 a.m. – 6 p.m., Except Sunday – Rescind

Alameda Street, both sides, between Vermont and Henry Adams Streets.

No Parking Anytime – Establish

Lech Walesa Street, north side, from Polk Street to 256 feet westerly (256-foot zone, replaces existing red zone).

Lech Walesa Street, south side, from Polk Street to 217 feet westerly (217-foot zone, replaces existing red zone).

Trainor Street, east side, between Thirteenth and Fourteenth Streets.

Perpendicular (90-Degree Angle) Parking – Establish

Carroll Avenue, north side, between Phelps and Newhall Streets.

Unmetered Motorcycle Parking – Establish

Taylor Street, west side, from 1.5 feet to 5 feet north of the south property line of Vallejo Street (3.5-foot zone accommodating one motorcycle).

Taylor Street, west side, from 15 feet to 22 feet north of the south property line of Vallejo Street (7-foot zone accommodating two motorcycles).

(c) File 20-96-19. [Traffic Regulations, Various Locations] Hearing to consider establishing and rescinding traffic regulations at various locations. (Department of Parking and Traffic) (DPT Order No. 1207)

Bicycle Lanes – Establish
Polk Street, west side (curb lane), between Market and Hayes Streets.

Multiple Turn Lanes – Rescind
Fourth Street, southbound, at Townsend Street (single exclusive left turn lane to remain).

ACTION: Item (a) removed from Consent Calendar. Remainder of Consent Calendar recommended.

a. File 18-96-18. Hearing held. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Stop Intersections] Designating certain intersections as 'stop' intersections." Recommended.

b. File 19-96-15. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Parking Regulations] Enacting and rescinding parking regulations at various locations." Recommended.

c. File 20-96-19. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of Committee entitled: "[Traffic Regulations] Enacting and rescinding traffic regulations on various streets." Recommended.

REGULAR CALENDAR

2. File 34-96-14. [Changing Width of Sidewalk, Corbett Avenue] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks: by adding thereto Section 1534 changing the official width on a portion of the southwesterly side of Corbett Avenue southeasterly of Iron Alley, as shown on Department of Public Works drawing labeled Q-20-461 and making findings pursuant to Planning Code Sections 101.1. (Department of Public Works) (COMPANION TO FILE 35-96-1)

   ACTION: Hearing held. Recommended. (Supervisors Teng, Bierman and Brown added as co-sponsors.)

3. File 35-96-1. [Accepting Dedication of Street/Utility Easement] Motion accepting on behalf of the public and the City and County of San Francisco the dedication of that certain street (500 Corbett Street, Assessor's Block 2718, Lot 2) and utility easement, attached hereto as Exhibit "2", and adopting findings of conformity to the General Plan of the City and County of San Francisco. (Department of Public Works) (COMPANION TO FILE 34-96-14)

   ACTION: Hearing held. Recommended. (Supervisors Teng, Bierman and Brown added as co-sponsors.)

4. File 223-96-35. [Liquor License Transfer, 673 Commercial Street] Hearing to consider that the transfer of a Type 21 off-sale general alcoholic beverage license to Wen Juan Liu from 754 Kirkham Street to 673 Commercial Street, will serve the convenience of the people of the City and County of San Francisco. Filed by Wen Juan Liu.

   ACTION: Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the transfer of a Type 21 off-sale general alcoholic beverage license to Wen Juan Liu, from 754 Kirkham Street to 673 Commercial Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

5. File 223-96-36. [Liquor License, 213 Sutter Street] Hearing to consider that the issuance of a Type 21 off-sale general alcoholic beverage license to Nassir Zughayer for Sammy's Smokes and Snacks located at 213 Sutter Street, will serve the convenience of the City and County of San Francisco. Filed by Nassir Zughayer.

   ACTION: (Applicant is now requesting a Type 20, rather than a Type 21, liquor license.) Hearing held. Resolution prepared in and reported out of Committee approving request entitled: "Determining that the issuance of a Type 20 off-sale beer and wine license to Nassir Zughayer for Sammy's Smokes and Snacks, located at 213 Sutter Street, will serve the convenience of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code." Recommended.

6. File 111-96-4. [Interim Controls, Inner Sunset Alcohol Beverage] Resolution imposing Interim Zoning Controls to establish the Inner Sunset Alcoholic Beverage Special Use District and prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in this special use district generally bounded by Lincoln Way, Seventh Avenue, Kirkham Street and Eleventh Avenue, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Teng, Alioto)
   (General Rule Exclusion from Environmental Review)
   (Consideration continued from 12/12/96)

   ACTION: Hearing held. Amendment of the Whole adopted. Consideration continued to the Call of the Chair. New title: "Imposing Interim Zoning Controls to establish the Inner Sunset Alcoholic Beverage Special Use District and prohibit introduction of new establishments, or any expansion of existing establishments, subject to specified exceptions, selling alcoholic beverages in this special use district generally bounded by Lincoln Way, Seventh Avenue, Judah Street and Eleventh Avenue, for an eighteen (18) month period and making determination of consistency with the priority policies of Planning Code Section 101.1."

7. File 115-96-8.2. [Negative Declaration – Transit Advertising Signs] Resolution adopting Negative Declaration, finding and determining that the transit general advertising signs along the Embarcadero, on Jefferson, Jones and Beach Streets, and on King Street between the Embarcadero and Sixth Street will have no significant impact on the environment; and adopting and incorporating findings of Final Negative Declaration. (COMPANION TO FILE 115-96-8 AND 271-96-4)
   (Final Negative Declaration adopted and issued 9/9/96)

   ACTION: Hearing held. Recommended.

8. File 115-96-8. [Transit Shelter Advertising] Ordinance amending Planning Code by amending Section 603 to permit transit shelter advertising on median public transit boarding platforms on the Embarcadero, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Yaki, Bierman, Leal) (COMPANION TO FILES 115-96-8.2 AND 271-96-4)
   (Planning Commission Resolution 14241, recommending that Ordinance File 115-96-8 be substituted with revised version, Case No. 96.410T, adopted 11/21/96; Resolution 14242, finding of consistency with the General Plan, adopted 11/21/96.)

   ACTION: Hearing held. Recommended.

9. File 271-96-4. [General Advertising Signs, The Embarcadero] Resolution approving amendments to the San Francisco General Plan to allow general advertising signs on transit boarding platforms and transit shelters in the areas subject to the Northeastern Waterfront Plan and Mission Bay Plan, and on public service Kiosks in the area subject to the Northeastern Waterfront Plan (Planning File No. 96.410M). (Planning Department) (COMPANION TO FILES 115-96-8, 115-96-8.2)
   (Planning Commission Resolution 14240 recommending approval of the General Plan amendments, adopted 11/21/96).

   ACTION: Hearing held. Recommended.

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